

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-23455-2019 (O&M)

Date of decision : 27.08.2019

Braham Pal

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Jagjot Singh, Advocate for the petitioner.

Mr. Manish Bansal, DAG, Haryana alongwith
SI Kimti Lal.

ANIL KSHETARPAL, J. (ORAL)

Prayer in the present petition is to grant anticipatory bail to the petitioner in FIR No.72 dated 25.01.2017 registered under Sections 406, 420, of the Indian Penal Code (Sections 419, 467, 468, 471, 120-B of IPC added later on) at Police Station Sarai Khwaja, Faridabad, Haryana.

On 24.05.2019, following order was passed:-

“The learned counsel for the petitioner submits that the matter has infact been compromised with the complainant Indal @ Inder Kumar and that pursuant to the said compromise, the petitioner had transferred an amount of ₹50,000/- in the bank account of aforesaid Indal @ Inder Kumar as would evident from the bank account statement i.e. Annexure P-4, wherein entry dated 10.7.2017 reflects that an amount of ₹50,000/- was withdrawn on the basis of a cheque issued in favour of complainant Indal @ Inder Kumar.

The Investigating Officer Sub Inspector Kimti Lal,

who is present in Court, has, however, feigned ignorance about the compromise and has stated that infact the complainant is not tracable since long and is probably a resident of Bihar.

The learned counsel for the petitioner has submitted that he shall make efforts to trace the complainant.

In view of the aforestated position, the matter is adjourned to 27.8.2019.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

The Investigating Officer shall made intensive efforts for locating the complainant and submit a report on the next date of hearing as regards his whereabouts.”

Learned counsel for the State, on instructions from SI Kimti Lal, has submitted that the petitioner has joined investigation and not required for further custodial interrogation at this stage.

In view thereof, interim order dated 24.05.2019 is made absolute.

Accordingly, the present petition is allowed.

27.08.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No