

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-26434-2019

Date of decision: 05.09.2019

Davinder Singh @ Binder

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: None for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.115 dated 20.05.2019 under Sections 148, 149, 323, 325, 452, 427, 506, 307, 120-B IPC, registered at Police Station Mullana, District Ambala.

While granting interim bail to the petitioner, following order was passed by this Court on 01.07.2019: -

“... At the very outset, learned counsel for the petitioner submits that the petitioner is ready to compensate the complainant by depositing a demand draft of Rs.50,000/-, favouring the complainant, with the Investigating Officer, on account of the damage caused to his property, which may further be handed over to the complainant, subject to the final outcome of the case.

Learned counsel for the petitioner further submits that main

accused Aashish Kumar @ Milkhi @ Kaka is the nephew of the complainant and they are having some property dispute in the civil as well as criminal court and the petitioner has been nominated in the FIR only on account of the fact that he is the friend of main accused Aashish @ Milkhi @ Kaka. It is further submitted that petitioner is not involved in any other case...”

Learned State counsel, on instructions from ASI Gyan Chand, submits that the petitioner has joined the investigation and is no more required for any further investigation and has also handed over a demand draft of Rs.50,000/- favouring the complainant, which is in possession of the Investigating Officer.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 01.07.2019 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

The Investigating Officer is directed to hand over the demand draft of Rs.50,000/- to the complainant within a period of 10 days from today, in compliance of the order dated 01.07.2019 passed by this Court.

[ARVIND SINGH SANGWAN]
JUDGE

05.09.2019
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No