

In the High Court of Punjab and Haryana at Chandigarh

219

CRM-M-29714-2019 (O & M)
Date of Decision: September 13, 2019

AKSHAY AHUJA

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. S.S. Behl, Advocate
for the petitioner.

Mr. N.K. Banka, DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking anticipatory bail in FIR No. 81 dated 24.04.2019, under Sections 406 and 420 of the Indian Penal Code, 1860, registered at Police Station Phase-I, District S.A.S. Nagar.

Learned counsel for the petitioner contends that the allegations against the petitioner are that he had entered into a 'Memorandum of Understanding' ('MoU' - for short) with the complainant for setting up robotics/smart classes in schools. The complainant had been paid the money in accordance with his share in terms of the MoU. He also contends that the allegations are civil in nature and the FIR is a gross misuse of the process of law. He further contends that the petitioner is not involved in any other case of similar nature. He also contends that the petitioner has also compromised the matter with the complainant.

This Court, by the order dated 16.07.2019, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was ordered to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, on instructions from ASI Baljinder Singh, states that the petitioner has joined investigation and is not required for custodial interrogation. He also states that the matter has indeed been compromised.

In view of the submissions of learned counsel for the petitioner and the petitioner having joined investigation, the order dated 16.07.2019 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

September 13, 2019

A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No