

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-17110 of 2020
Date of decision:03.07.2020

Surender Singh @ Chhinda ... Petitioner

Vs.

State of Haryana and another ... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Bipan Ghai, Senior Advocate with
Mr. Paras Talwar, Advocate
for the petitioner.

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Through the instant petition, the petitioner seeks anticipatory bail in case FIR No.101 dated 05.06.2020, under Sections 406 and 420 of Indian Penal Code, 1860 and Section 24 of Immigration Act, registered at Police Station Siwan, Kaithal.

Learned senior counsel appearing for the petitioner submits that the matter has been compromised and the complainant has executed an affidavit dated 13.06.2020 (Annexure P-2) whereby he deposed that FIR was lodged on account of some mis-understanding and no fraud has been committed by the petitioner.

Notice of motion.

On asking of the Court, Mr.Amit Aggarwal, Deputy Advocate General, Haryana who is available on conference call accepts notice on behalf of the respondent and he is assisted by Mr. Fateh Saini, counsel for the complainant. Advance copy of the petition has already been served on the State.

Mr.Fateh Saini, counsel appearing for the complainant confirms that the affidavit dated 13.06.2020 (Annexure P-2) was executed by the complainant.

In view of the above position and without commenting on the merits of the case, the present petition is allowed. The petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to bail on his furnishing personal and surety bonds to the satisfaction of Arresting Investigating Officer. He shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

It is clarified that any observation made herein above shall not be construed as an expression of opinion on the merits of the case. If the petitioner does not join the investigation then it will be open to the State to file an application to recall the order.

(SUVIR SEHGAL)
JUDGE

July 03, 2020
savita

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No