

CRM-M-22720 of 2020

**219IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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Date of decision: 14.12.2020

Rajiv Kumar

.....Petitioner

vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Kamal Mor, Advocate,
for the petitioner.

Mr. Ashok Kumar Sehrawat, DAG, Haryana.

DEEPAK SIBAL, J. (ORAL)

Case taken up through video conferencing.

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks the grant of anticipatory bail in FIR No.68 dated 15.02.2020 registered under Section 174-A IPC, at Police Station Ambala Cant.

The afore referred FIR has been lodged against the petitioner for his non-appearance before the trial court in a case filed against him by respondent No.2 under Section 138 of the Negotiable Instruments Act, 1881 (for short 'the Act').

On August 14, 2020 after considering the submission made by the learned counsel for the petitioner that he was never served in the

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aforesaid case and that the petitioner was ready and willing to settle the dispute with the complainant/respondent No.2, this Court issued notice to the State as also to the complainant/respondent No.2 and in the meanwhile granted the petitioner *ad interim* protection qua his arrest.

On August 26, 2020 learned counsel for the petitioner stated that the amount due towards the complainant was Rs.71,000/- and that the petitioner would pay the same in three instalments of Rs.25,000/-, Rs.25,000/- and Rs.21,000/- to be made on 01.09.2020, 01.10.2020 and 02.11.2020. After recording this statement, to enable the petitioner to make payment as per his statement, this Court deferred the hearing of the present petition. Interim protection granted to the petitioner was also extended.

Learned counsel for the petitioner submits that as per the afore statement the petitioner has paid to the complainant the entire amount due to him i.e. Rs.71,000/-.

Learned State counsel, on instructions of H.C. Surender Kumar, acknowledges the above fact and further submits that under the interim orders passed by this Court petitioner has joined the investigation and that his custodial interrogation is not required.

In view of the fact that the entire amount due towards the petitioner has been returned by him to the complainant and as per the statement made by the learned State counsel that the petitioner's custodial interrogation is not required, the order of this Court dated 14.08.2020 granting ad-interim anticipatory bail to the petitioner is made absolute.

Nothing observed herein-above shall be considered to be an

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expression of opinion by this Court on the merits of the case.

December 14, 2020
R.S.

(Deepak Sibal)
Judge

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