

210-A

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.25570 of 2020(O&M)

Date of Decision: 10.12.2020

Pankaj Chawla

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Surinder Gandhi, Advocate
for the petitioner.

Mr. Karan Garg, AAG, Haryana.

Mr. Raman Chawla, Advocate
for the complainant.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

The petitioner seeks grant of anticipatory bail in case bearing FIR No.451 dated 08.08.2020 registered under Sections 406, 420, 506 IPC at Police Station City Bhiwani.

On 02.09.2020, following order was passed by the co-Ordinate Bench of this Court:-

“The learned counsel for the petitioner submits that his client is willing to amicably resolve the matter with the complainant and is willing to pay back the earnest money of Rs.3 lakhs, which was paid initially,

and also to pay back another amount of Rs.2 lakhs, which is stated to have been paid subsequently.

Mr. Surinder Gandhi, learned counsel for the petitioner has further submitted that he shall seek instructions from his client as to whether his client is willing to further compensate the complainant apart from the aforesaid amount of Rs.5 lakhs.

Notice of motion for 26.11.2020.

At this stage, Mr. Raman Chawla, Advocate has put in appearance on behalf of the complainant and accepts notice on behalf of the complainant.

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.

To be heard along with CRM-M-25205 of 2020.

*(Gurvinder Singh Gill)
Judge”*

In compliance of the aforesaid order, learned counsel for the petitioner has brought demand draft dated 23.11.2020 in the name of the complainant in a sum of Rs.5 lacs. A photocopy of the aforesaid draft has been received through whatsapp group.

Learned counsel for the petitioner undertakes to hand

over the aforesaid draft to learned counsel for the complainant within three days.

In view of order dated 02.09.2020, the petitioner is ready to compensate the complainant by paying an amount of Rs.20,000/- over and above the aforesaid amount of Rs.5 lacs.

Learned counsel for the complainant submits that an amount of Rs.20,000/- is too meagre to answer the agony suffered by the complainant in the present context. Learned counsel for the complainant however ready to accept the aforesaid amount at this stage without prejudice to his right of compensation during trial of the case.

Learned State counsel on instructions from ASI Rakesh Kumar, however admits that the petitioner has joined the investigation.

Learned counsel for the petitioner shall hand over the draft to the complainant within three days from today and also pay an amount of Rs.20,000/- over and above the amount of Rs.5 lacs to the complainant.

In view of aforesaid position, order dated 02.09.2020 is made absolute. However, petitioner is directed to join the investigation as and when required to do so by the Investigating Office and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C. It is made clear that in case, the draft

along with an amount of Rs.20,000/- is not handed over to the complainant within three days from today, then, this petition would be deemed to be dismissed without making any further reference to the Court.

Disposed of.

10.12. 2020

Prince

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No