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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.34165 of 2020 (O&M)
Decided on: 28.10.2020

Rajinder Kumar @ Raju

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Gourav Jain, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.18 dated 28.02.2020 registered under Section 174-A IPC at Police Station City-2 Abohar, District Fazilka.

Counsel for the petitioner has argued that though the petitioner was initially granted interim anticipatory bail by the Court of Sessions, however, the same was dismissed on the ground that the petitioner has failed to join the investigation. It is further submitted that the present FIR was registered during the pendency of a complaint filed under 138 of the Negotiable Instruments Act by one Kewal Krishan. Counsel for the petitioner has relied upon a compromise dated 14.03.2020, vide which the petitioner has paid the entire amount to Kewal Krishan. Counsel for the petitioner has also submitted that he has the instructions to say that the aforesaid Kewal Krishan is contemplating to file an application for withdrawal of his complaint.

CASE HEARD THROUGH VIDEO CONFERENCING

In view of the above, this petition is allowed and the petitioner is directed to appear before the Investigating Officer within a period of 10 days from today, to join the investigation and he shall be released on interim bail on furnishing bail/surety bonds, subject to the conditions envisaged under Section 438(2) Cr.P.C.

The petitioner will also put in appearance in the complaint case where he will be granted interim bail subject to his furnishing appropriate bail/surety bonds in case the complaint is not withdrawn.

It is made clear that it will be open for the prosecution to move an application for vacation of this order if the complaint filed by Kewal Krishan under Section 138 of the Negotiable Instruments Act, is not withdrawn within a period of 02 months from today.

(ARVIND SINGH SANGWAN)
JUDGE

28.10.2020
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No