

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

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CRM-M-38854-2019

Date of decision : 28.1.2020

RAJESH BHALLA

.....Petitioner

Vs.**STATE OF PUNJAB AND ANOTHER**

.....Respondents

Coram: HON'BLE MR. JUSTICE MANOJ BAJAJ.

Present : Mr. Akshay Sandhir, Advocate, for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

Mr. R.S. Bajaj, Advocate for the applicant-respondent No.2.

Manoj Bajaj, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.95 dated 11.05.2019 under Sections 420/465/ 467/468/ 471 of Indian Penal Code, 1860 registered at Police Station Civil Lines, Amritsar. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 12.09.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

Learned counsel for the petitioner contends that the alleged amount was paid in the year 2005-2013 and an attempt was made on behalf of the petitioner for settlement by returning the amount by way of three cheques. However, those cheques had dishonoured. He submits that in the given facts

custodial interrogation of the petitioner may not be required particularly when he is willing to settle the dispute with the complainant.

Notice of motion for 28.01.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Jaswant Singh does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Jaswant Singh further states that the petitioner is not required for custodial interrogation for the time being.

Mr. R.S. Bajaj, Advocate, for respondent No.2, also does not dispute the fact that the matter is settled between the parties.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 12.09.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

28.1.2020
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Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No