

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-9740-2020 (O&M)
Date of Decision:- 1.7.2021

Sunil Kumar

.... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Anurag Chopra, Advocate, for the petitioner.

Mr. Vishal Kashyap, AAG, Haryana.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.139, dated 1.4.2017, Police Station Sector 5, Panchkula, under Section 174-A IPC.
2. At the time of issuance of notice of motion the following order was passed:

“Relies on the decision of this Court in
“Microqual Techno Limited and other Vs. State of
Haryana and others and Madan Kavar and another Vs.

State of Haryana and another” to contend that where the main petition under Section 138 of N.I. Act stands withdrawn in view of an amicable settlement between the parties, continuation of proceedings under Section 174-A of the Indian Penal Code would be only an abuse of process of Law. Further, according to Ld. counsel for the petitioner the complaint was withdrawn by the complainant on 05.04.2018 after she herself submitted her affidavit (Annexure P-2) to that effect.

Notice of motion.

On asking of the Court, Mr. Navdeep Singh, AAG, Haryana accepts notice on behalf of the respondent-State. A copy of the paper book be handed over to him during the course of the day.

Adjourned to 08.07.2020.

Meanwhile, in the event of arrest of the petitioner by the Arresting Officer, he shall be released on interim bail subject to the following conditions:-

- 1 That he shall make himself available for interrogation by a Police Officer as and when required;
 - 2 That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer and;
 - 3 That he shall not leave India without prior permission of the Court.”
3. The learned State counsel has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and that his custodial interrogation is not required.

4. In view of the aforesaid submission, the petition is accepted and the interim directions issued by this Court vide order dated 6.3.2020 are hereby made absolute subject to the condition that the petitioner shall join 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.

1.7.2021

Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No