

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-14401 of 2021

Date of Decision:01.09.2021

Manish

---Petitioner

versus

State of Haryana and another

---Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Vansh Malhotra, Advocate
for the petitioner

Mr. Anant Kataria, Deputy Advocate General, Haryana

Mr. Rahul Jaswal, Advocate
for respondent No. 2-complainant

RAJ MOHAN SINGH, J. (Oral)

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

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C. in case bearing FIR No. 51 dated 4.2.2021 registered under Sections 406, 420 of the Indian Penal Code and Section 24 of the Immigration Act, at Police Station Pundari, Kaithal.

Notice of motion was issued on 31.3.2021 on the premise that the matter has been compromised between the parties and the entire amount has been returned to the complainant. At the time of issuance of notice of motion, factum of compromise was admitted by learned counsel for respondent No. 2-complainant. Receipt of entire amount by the complainant was also admitted. Learned counsel for the complainant showed no objection in case anticipatory bail is granted to the petitioner.

PARAMJIT KAUR SAINI
2021.09.02 09:45
I attest to the accuracy and
integrity of this document

On 31.3.2021, following order was passed by this Court:-

“Counsel for the petitioner prays for grant of anticipatory bail in FIR No.51 dated 04.02.2021 registered under Section 406, 420 IPC and Section 24 of the Immigration Act, 1983 at Police Station Pundari, District Kaithal on the ground that the matter has been settled with the complainant and the amount has been returned.

Notice of motion.

Ms. Deepshikha Chauhan, AAG, Haryana and Mr. Rahul Jaswal, Advocate who are present through the medium of video conferencing, accepts notice for the respondent-State and the complainant-respondent No.2 respectively.

Counsel for the respondent-State on instructions from ASI Isham Singh would submit that the compromise is not in her knowledge, while contending that the petitioner herein is a habitual offender and had four other cases against him.

At this stage, Mr. Rahul Jaswal, learned counsel appearing for the respondent No.2-complainant would submit that the matter has been compromised with the petitioner and the entire amount as paid to the petitioner has already been returned and therefore, he has no objection in the case the petitioner is granted interim bail.

I have heard learned counsel for the parties and have perused the paper book.

The petitioner is directed to join the investigation within a period of one week and on his doing so, the petitioner be released on interim bail subject to his furnishing personal/surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner

shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

List for further consideration on 01.09.2021.

(JAISHREE THAKUR)
JUDGE

March 31, 2021
Pankaj*"

Learned counsel for the petitioner submits that in compliance of the aforesaid order, the petitioner has joined the investigation on 7.4.2021 to the entire satisfaction of the Investigating Officer.

Learned State counsel on instructions from ASI Gurdan Singh admits the aforesaid fact and submits that the petitioner is no more required for further investigation of the case.

In view of the aforesaid factual position, the interim order dated 31.3.2021 is made absolute. Petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

(RAJ MOHAN SINGH)
JUDGE

01.09.2021
PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No