

In the High Court of Punjab and Haryana at Chandigarh

202

CRM-M-23707-2019 (O & M)

Date of Decision: November 17, 2021

SOMESH CHOUDHARY

....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Aditya Sharma, Advocate and
Mr. Tarun Singh, Advocate for the petitioner.

Mr. Anant Kataria, DAG, Haryana.

Mr. Mukesh Yadav, Advocate and
Mr. Rohit Sain, Advocate for the complainant

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking anticipatory bail in FIR No.90 dated 12.04.2019, under Sections 406, 420 and 34 IPC, registered at Police Station Industrial, Sector-7, Manesar, District Gurugram.

Learned counsel for the petitioner contends that it is alleged that the complainant had given money to the company of the petitioner for the supply of deodorant etc. The petitioner has now settled the matter with the complainant. A copy of the settlement is annexed as Annexure P-2. The petitioner had made payment of ₹18.50 lacs out of the settled amount of ₹45 lacs. The remaining payment could not be made due to Covid-19 pandemic as the petitioner was facing financial difficulty. Counsel for the petitioner has handed over post-dated 08 cheques for the outstanding amount to the complainant, who is present in Court and identified by his counsel. He also

contends that the petitioner shall adhere to the compromise and all the 08

cheques which have been furnished to the complainant would be duly honoured. He has filed an affidavit of the petitioner in this regard which is taken on record. A copy of the same has been furnished to the counsel for the complainant.

A Coordinate Bench of this Court, by the order dated 23.05.2019, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was ordered to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, on instructions from ASI Ravi Kumar, states that the petitioner has joined investigation.

In view of the above and the petitioner having joined investigation, the order dated 23.05.2019 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

However, it is made clear that in the event of the cheques issued by the petitioner being dishonoured, the petitioner would be liable for criminal action in accordance with law, besides, cancellation of his bail.

(ANUPINDER SINGH GREWAL)
JUDGE

November 17, 2021
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No