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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.35142 of 2020

Date of Decision: 27.04.2021

PARDEEP KUMAR

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Manoj, Advocate for
Mr. Harsh Chopra, Advocate
for the petitioner.

Ms. Samina Dhir, D.A.G., Punjab.

Mr. Amandeep Singh, Advocate
for complainant.

RAJ MOHAN SINGH, J.(Oral)

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

The petitioner seeks grant of anticipatory bail in case bearing FIR No.0037 dated 19.02.2020, registered under Sections 420/406/506 IPC at Police Station City Rupnagar, Distt. Rupnagar.

Notice of motion was issued on 02.11.2020 by noticing the fact that there was a money transaction for a total sum of Rs.60,000/- and amount of Rs.10,000/- was returned to the complainant. For remaining amount, a cheque was issued which

was ultimately dishonoured. Learned counsel for the petitioner made a submission that petitioner is ready to return the aforesaid amount of Rs.50,000/- to the complainant. Arrest of the petitioner was stayed.

Thereafter complainant was impleaded as party-respondent No.2.

Today, learned counsel for respondent No.2 disputes the total amount due towards the petitioner, however he submitted that respondent No.2 would be satisfied in case the amount of Rs.50,000/- is paid to her in compliance of order dated 02.11.2020 for the purposes of anticipatory bail.

I am of the view that the consensus arrived at between the parties is just and appropriate. This petition is disposed of. Petitioner is directed to appear before the SHO/Investigating Officer on 01.05.2021 at 11.00 A.M. with a demand draft of Rs.50,000/- in the name of the complainant/respondent No.2. The Investigating Officer in turn shall hand over the demand draft to the complainant within one week.

Subject to the aforesaid payment, the Investigating Officer shall join the petitioner in the investigation and in the event of his arrest, he shall be released on anticipatory bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under

Section 438(2) Cr.P.C:-

- i) that the petitioner shall make himself available for interrogation before the Investigating Officer as and when required;
- ii) that the petitioner 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;
- iii) that the petitioner shall not leave the country, without prior permission of the Court and shall surrender his passport, if any.

In case of violation of the aforesaid understanding/undertaking, this petition shall be deemed to be dismissed.

April 27, 2021

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No