

In virtual Court

CRM-M-48153-2019

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-48153-2019 (O&M)
Date of decision: 01.09.2021

Hans Raj and another

... Petitioners

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. S.P.S. Sidhu, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.268 dated 12.10.2019 under Sections 420, 120-B IPC, registered at Police Station City Muktsar, District Sri Muktsar Sahib.

While granting interim bail to the petitioners, following order was passed by this Court on 16.11.2019: -

“...Counsel for the petitioner, at the very outset, submits that the petitioners are ready to explore the possibility of some amicable settlement with the complainant and to show their bonafide, they will hand over a demand draft for a sum of Rs.One lac to the Investigating Officer, against proper receipt...”

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Learned counsel for the petitioners submits that in compliance of the aforesaid order, the petitioners have joined the investigation and are no more required for further investigation.

A perusal of the order dated 16.11.2019 shows that on the request of the petitioners, the matter was referred to the Mediator, however, later on, due to COVID-19 situation, no proceedings could be initiated.

Learned counsel for the petitioners further submits that the petitioners are still ready to explore the possibility of some amicable settlement and to show their bonafide, they have already handed over a demand draft of Rs.1.00 lac to the Investigating Officer, in compliance of the order dated 16.11.2019. It is further submitted that a period of about 01 year and 09 months has passed and there is no complaint against the petitioners that they have misused the concession of interim anticipatory bail.

Learned State counsel, on instructions from ASI Harnek Singh, has not disputed the factual position and submits that the petitioners are no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioners vide order dated 16.11.2019 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

[ARVIND SINGH SANGWAN]
JUDGE

01.09.2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No