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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.18145 of 2018 (O&M)
Decided on: 22.09.2021

Namit Jain and others

....Petitioners

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Rajesh Goswami, Advocate
for the petitioners.

Mr. Deepak Grewal, DAG, Haryana.

Mr. Rajat Dogra, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners pray for grant of anticipatory bail in FIR
No.521 dated 17.12.2017 under Sections 419 & 420 IPC, registered at
Police Station Faridabad Old, District Faridabad.

On 02.05.2018, the following order was passed:-

*“...Learned counsel for the petitioners submits that
as per allegations in the FIR, petitioners had given 20
cheques, which were to be cleared upto 10.10.2018 and
since some of the cheques were dishonoured by the bank,
the FIR was got registered. It is further submitted that till
10.04.2018, all the amount against the cheques amount, as
mentioned in the FIR, has been cleared by the petitioners.
Counsel for the petitioners has placed on record certain
documents relating to payment made by the petitioners to
the complainant.*

Notice of motion for 10.08.2018.

In the meantime, petitioners are directed to appear

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before the Investigating Officer within a period of 10 days to join the investigation and they will be released on interim bail on furnishing bail/surety bonds subject to the following conditions:-

- 1. They will make themselves available for interrogation by a police officer as and when required;*
- 2. They will 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. They will not leave India without previous permission of the Court....”*

Thereafter, this case remain pending for a considerable long time as the parties wanted to settle the dispute before the Mediation and Conciliation Centre and some amount was paid.

On 28.06.2021, noticing the fact that the petitioners have failed to make the balance payment, the continuation of the interim order dated 02.05.2018 was declined.

Today, counsel for the petitioners has placed on record an order dated 16.09.2021 passed by the Sessions Judge, Faridabad, vide which while deciding the regular bail application of the co-accused Namit Jain, it is noticed that the complainant Rajinder Mangla has appeared and has made a statement that the dispute has been settled with the applicant/accused and the entire payment has been made by the accused and accordingly, Namit Jain was granted the concession of regular bail. Counsel for the petitioners has also placed on record the statement of Rajinder Mangla, in which he has stated that the entire payment has been made by the accused.

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Counsel for the State, assisted by counsel for the complainant and on instructions from the Investigating Officer, has not disputed the aforesaid fact.

In view of the above, this petition is allowed and the interim bail granted to the petitioners vide order dated 02.05.2018 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

22.09.2021
yakub

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No