

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-16409 of 2019 (O&M)

DECIDED ON: 19th April, 2022

Rajesh Kumar

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Namit Khurana, Advocate for petitioner.

Ms. Dimple Jain, AAG Haryana.

Mr. Shakti Singh, Advocate for complainant.

AVNEESH JHINGAN, J (ORAL)

This petition is filed for grant of anticipatory bail in case of FIR No.1151 dated 4.12.2018, under Sections 406, 420 IPC, registered at Police Station Thanesar City, District Kurukshetra.

Notice of motion was issued on 3.5.2019 and following order was passed:

"Present petition under Section 438 Cr.P.C. for seeking pre-arrest bail to the petitioner(s) in case FIR No. 1151 dated 04.12.2018, registered under Section(s) 406 & 420 IPC at Police Station Thanesar City, District Kurukshetra.

On instructions, learned counsel for the petitioner contended that petitioner is not ready to deposit the amount of cheque. However, learned counsel contended that the cheques were in fact issued as security cheques and to that effect, petitioner had made complaint to the Superintendent of Police, Kaithal on 18.12.2017 (Annexure P2) and thereafter, the cheques were dishonoured on 03.05.2018.

Notice of motion.

On asking of the Court, Mr. Ashish Sanghi, Deputy Advocate General, Haryana accepts notice on behalf of respondent, whereas Mr. Shakti Singh, Advocate, who is present in the Court, has put in appearance on behalf of the complainant and filed his power of attorney. A copy of paper-book be provided to them during the course of the day.

List on 24.05.2019."

Arrest of the petitioner was stayed on 18.7.2019.

On 30.3.2022, following order was passed:

"In this petition seeking anticipatory bail, arrest of the petitioner was stayed and the matter was sent for mediation. A report of the Mediator is received that parties have failed to reach at an amicable settlement.

Learned State counsel submits that the investigation could not progress due to the interim protection granted to the petitioner.

Learned counsel for the petitioner submits that no recovery is to be made and the petitioner has already given a specimen signatures.

Learned State counsel submits that the petitioner in compliance of order dated 12.10.2021 appeared before the Investigating officer and gave his specimen signatures. She further seeks time to comply with order dated 12.10.2021.

As a workable solution, let the petitioner join investigation within one week from today. In the event of arrest, he shall be released on bail subject to his furnishing adequate bail bonds to the satisfaction of the Investigating Officer. He is directed to join investigation as and when called for. He shall be bound by the conditions as envisaged under Section 438(2) Cr.P.C.

List on 19.4.2022. "

Learned State counsel on instructions from Inspector Karambir Singh submits that the petitioner has joined investigation, he has already given his specimen signatures and his custody is not required.

Mr. Shakti Singh, Advocate, appearing for complainant opposes the confirmation of interim bail.

Without commenting upon the merits of the case, considering that the petitioner has joined investigation and his custody is not required, the interim bail granted is made absolute.

Disposed of accordingly.

(AVNEESH JHINGAN)
JUDGE

19th April, 2022

reema

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*