

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(203)

CRM-M-28358-2022

Date of decision: - 24.08.2022

Ramesh Kumar

....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Sourabh Goel, Advocate,
for the petitioner.

Mr. Dhruv Sihag, AAG, Haryana.

Mr. Sanjeeva K. Uppal, Advocate
for respondent No.2.

VIKAS BAHL, J. (ORAL)

This is the first petition under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.193 dated 25.03.2019, under Sections 406, 420 and 120-B of the Indian Penal Code, 1860, registered at Police Station Quilla Panipat, District Panipat.

On 07.07.2022, this Court was pleased to pass the following order:-

“Inter alia contends that the matter in the present case has been settled and compromise dated 21.04.2022 has been entered into between the petitioner and respondent no.2-complainant. It is submitted that the petitioner will comply with the terms of the said agreement. It is also submitted that in 2017 respondent no.2-complainant was in need of money to purchase e-auto and had

approached the petitioner and had offered his property for the purpose of collateral security and in terms of that, the petitioner was ready to pay Rs.1,50,000/- for the property given as collateral security against the loan amount given by the petitioner and the petitioner had never forced the complainant to give property as collateral security. It is further submitted that the petitioner has already paid Rs.60,000/- as 50% of compensation as per the settlement agreement.

Notice of motion.

On advance notice, Mr.Praveen Bhadu, AAG, Haryana, appears and accepts notice on behalf of the respondent-State.

Adjourned to 24.08.2022.

In the meantime, in the event of arrest, the petitioner is ordered to be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting / Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

(VIKAS BAHL)
JUDGE

July 07, 2022"

Learned counsel for the petitioner has submitted that in pursuance of the above-said order, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Krishan Kumar, has submitted that they have verified the factum as to whether the compromise has been effected or not and as per the status report, the compromise has been effected with accused Ramesh Kumar and Sanjay Kumar and not with Ashish. It is further submitted that the petitioner has joined the investigation and is not required for further investigation.

Keeping in view the abovesaid facts and circumstances, more so, the facts which have been noticed in abovesaid order dated 01.08.2022 and also the fact that the petitioner has joined the

investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 07.07.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

August 24, 2022
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No