

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

CRM-M-43361-2021 (O&M)

Date of decision: 05.05.2022

Tarsem Chand Kansal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Rahil Mahajan, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

Mr. P. S. Ahluwalia, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 395 dated 18.09.2021, registered under Sections 406 and 420 of the IPC at Police Station Baldev Nagar, District Ambala, Haryana.

The operative part of the order dated 14.10.2021, vide which the petitioner has been granted interim bail, is reproduced below:

“Learned counsel for the petitioner has placed on record photocopy of a demand draft of Rs.5.00 lacs favouring Shiva Electronics (complainant) and further undertakes that the petitioner will make another payment of Rs.5.00 lacs to the complainant before the next date of hearing.

Learned counsel for the complainant has acknowledged that he has received a demand draft of Rs.5.00 lacs.

Learned counsel for the petitioner submits that within a period of four months from today, the petitioner

will get the matter settled with the complainant.

This offer is not opposed by learned counsel for the complainant.

List again on 13.12.2021.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 14.10.2021, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the petitioner further submits that the petitioner has handed over another demand draft of Rs. 1.7 Lakh to learned counsel for the complainant.

Learned counsel for the State, on instructions from the Investigating Officer, assisted by learned counsel for the complainant, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

Learned counsel for the complainant has also not disputed the fact that an amount of Rs. 11.70 Lakh has been paid back to the complainant.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 14.10.2021, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

05.05.2022

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No