

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

238

CRA-S-1018-2023

Date of decision: 04.09.2023

Jitender Monga

.....Appellant

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Gourav Jain, Advocate
for the appellant.

Mr. Karan Jindal, AAG, Haryana.

Mr. Amit Khatkar, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The appellant is impugning order dated 28.03.2023 vide which his prayer seeking anticipatory bail in case FIR No.68 dated 18.03.2023 under Section 67 of the Information Technology Act, 2000, Sections 387, 500 IPC and Section 3(1)(r), 3(1)(s), 3(1)(u) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered at Police Station Sadar Ratia, District Fatehabad had been dismissed by the Court below.

2. On 23.08.2023, while noticing the following submissions made by the learned counsel for the appellant, this Court had granted the concession of interim bail to the appellant and asked him to join investigation:-

“Learned counsel inter alia contends that subsequent to registration of the FIR in question, the differences and misunderstanding between the parties had been cleared. He submits that in the circumstances, the appellant be extended the concession of anticipatory bail.”

3. Learned counsel for the appellant submits that in compliance of order dated 23.08.2023, the appellant has joined investigation and cooperated with the investigating agency. It has also been averred that the parties have ironed out their differences and arrived at an amicable settlement.

4. Learned State counsel assisted by learned counsel for the complainant, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency.

5. Learned counsel appearing for respondent No.2 does not dispute the submissions made by counsel opposite qua the parties having ironed out their differences and amicably settled all their disputes.

6. Learned State counsel, on further instructions, submits that the appellant is not required for further investigation much less for his custodial interrogation.

7. In view of the above, the appeal is allowed and dated 28.03.2023 is set aside. Interim order dated 23.08.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

04.09.2023

(MANJARI NEHRU KAUL)

Vinay

JUDGE

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