

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

204

CRM-M-26516-2022 (O&M)
Date of decision: 06.02.2023

GURCHETAN SINGH

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Deepak Gupta, Advocate
for the petitioner.

Mr. Manipal Singh Atwal, DAG Punjab.

Mr. M.K. Bali, Advocate
for the complainant.

AMAN CHAUDHARY. J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail in FIR No.125 dated 21.05.2022, under Section 406, 420, 464 and 506 of the Indian Penal Code, 1860 registered at Police Station Shahkot District Jalandhar.

Learned counsel for the petitioner has handed over two drafts amounting to Rs.45,000/- dated 25.01.2023 and Rs.1,55,000/- dated 03.02.2023 to the learned counsel for the complainant as full and final amount involved in the cheques on account of which the complaints under Section 138 Negotiable Instruments Act were filed against the petitioner.

Learned counsel for the petitioner submits that in pursuance of order dated 15.06.2022, of this Court, the petitioner has not only joined investigation but has also fully cooperated with the investigating agency. He further submits

that in case the investigating agency requires the petitioner to appear, he shall make himself available without demur.

Learned counsel for the complainant on instructions from his client makes a statement of having received the aforesaid amount of the cheques involved in the said complaints and further submits the said complaint shall be withdrawn on or before the next date of hearing before the trial Court and he has no objection in case the present interim bail is confirmed.

Learned State counsel on instructions affirms the factum of joining the investigation by the petitioner and cooperating with the investigation agency. He also submits that at this stage, the petitioner is not required for further custodial interrogation.

In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioner is allowed and the order dated 15.06.2022 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr. P.C

However, it is made clear that if the petitioner fails to join and cooperate with the investigation agency as and when required, the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to him.

(AMAN CHAUDHARY)
JUDGE

February 06, 2023

M.Kamra/S.Sharma(syr)

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