

104 **IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM M-30670-2023 (O&M)
Date of Decision: 11.09.2023

Chandresh Jajoo and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Ms. Puja Chopra, Advocate,
 for the petitioners.

Mr. Joginder Pal Ratra, Sr. DAG, Punjab
assisted by ASI Sukhraj Singh.

Mr. Raghav Garg, Advocate for
Mr. Sandeep Suri, Advocate,
for the complainant.

MAHABIR SINGH SINDHU. J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure (for short “Cr.P.C”) for grant of pre-arrest bail to the petitioners in FIR No.25 dated 07.03.2022, under Sections 406 and 120-B of Indian Penal Code registered at Police Station Navi Baradari, District Jalandhar.

2. Allegations in brief against the petitioners are that they had purchased raw material (iron etc.) from the complainant’s firm and in discharge of their liability, issued different cheques in favour of the complainant, which on presentation were dishonoured.

3. This Court *vide* order dated 16.06.2023, granted interim bail to petitioners and the same reads as under:-

*“Contends inter alia that matter has been compromised
between the parties at their own level.*

Notice of motion.

Ms. Monika Jalota, Sr. DAG, Punjab, accepts notice on behalf of the respondent-State.

Mr. Amit Sharma, Advocate, causes representation on behalf of respondent Nos. 2 & 3 and acknowledged the above factual position.

Posted on 07.08.2023.

In the meanwhile, petitioners shall join investigation before the Investigating Officer. In the event of their arrest, the Arresting Officer would admit them to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioners shall also abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.”

4. Learned counsel on instructions from petitioners submits that in pursuance of the aforesaid order, they joined investigation and their custodial interrogation is not required by the Police.
5. Learned counsel for complainant, after obtaining instructions, submits that matter has been amicably settled between the parties.
6. The above factual position is duly acknowledged by learned State Counsel, on instructions from quarter concerned and fairly submitted that custodial interrogation of the petitioners is not required at this stage.
7. In view of above, interim order dated 16.06.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.
8. It is also made clear that petitioners shall fully co-operate with the Investigating Officer as and when called for further investigation.
9. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
10. Disposed off accordingly.

11. Pending criminal misc. application(s), if any, shall also stand disposed off.

11.09.2023
SN

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable: Yes/No