

2023:PHHC:085708

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

207

CRM-M-35923-2021 (O&M)
Date of decision: 06.07.2023

Naveen

....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Abhinav Aggarwal, Advocate for the petitioner

Mr. Dhruv Sihag, AAG Haryana

Ms. Bhavi Kapur, Advocate for
Mr. P.S. Ahluwalia, Advocate for the complainant

AMAN CHAUDHARY. J.

1. On 12.04.2023, this Court had passed the following order:-

“The present petition has been filed under Section 438 Cr. P.C. for grant of pre-arrest bail to the petitioner in case FIR No.320 dated 14.08.2021, registered under Sections 406, 420, 506 and 34 IPC at Police Station Rania, District Sirsa.

Learned counsel submits that there has been a compromise arrived at with the complainant on 11.04.2023. As per which, an amount of Rs.12.25 lacs had already been paid to the victims and the balance amount of Rs.25 lacs has to be paid to them on or before 15.05.2023. Copy of compromise has been produced and is taken on record as Mark-A and undertakes to remain bound with the terms thereof. He submits that the petitioner is ready and willing to join investigation as and when required by the investigating agency.

Learned counsel appearing for the complainant affirms the aforesaid factum and has no objection, if, interim anticipatory bail is granted to the petitioner, in view of the said compromise.

The petitioner is directed to join the investigation on or before 19.04.2023. In the event of arrest of the petitioner, he shall be released on interim bail to the satisfaction of the Arresting Officer, subject to compliance enshrined under Section 438(2) Cr.P.C.

However, it is clarified that if the petitioner does not join and cooperate with the Investigating Agency as required by the Arresting/Investigating Officer, this interim order shall be deemed to have been vacated. The petitioner shall remain

bound with the compromise.

Adjourned to 30.05.2023.”

2. Learned counsel submits that in pursuance of the afore-mentioned order, the petitioner has not only joined investigation but 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.

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

4. Learned counsel for the complainant submits that he has received the amount in question as there is a compromise that has been arrived at between the parties and has no objection, if interim anticipatory bail is confirmed.

5. 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 12.04.2023 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr. P.C.

6. However, it is made clear that if the petitioner fails to join and cooperate with the investigating 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

July 06, 2023

M.Kamra

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No