283 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-44937-2023 (O&M)
Date of Decision: 04.12.2023

SUKHDEEP SINGH

...Petitioner

Versus

STATE OF HARYANA

…Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sudhir Rana, Advocate for the petitioner.

Mr. Vikas Bhardwaj, AAG Haryana.

Mr. Gurdeet Singh Nehra, Advocate for
Mr. Vishal Singh, Advocate
for the complainant.

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HARPREET SINGH BRAR J. (ORAL)

1. Through instant petition, the petitioner is seeking anticipatory bail in case FIR No. 182 dated 06.07.2020 registered under Sections 406 and 420 of Indian Penal Code and Section 24 of Immigration Act (Sections 370, 384 and 506 of IPC added later on) at Police Station 13-17 HUDA Panipat District Panipat.

2. On 09.10.2023, following order was passed:

> *"**CRM-42501-2023***
>
> *Notice in the application.*
>
> *Mr. Jagdish Manchanda, Addl. AG Haryana accepts notice on behalf of respondent-State and has no objection to the prayer made in the application.*
>
> *For the reasons mentioned in the application for impleading the complainant as respondent No.2, same stands allowed. Applicant-complainant is impleaded as respondent No.2 in the present petition. Amended memo of parties is taken on record. Registry is directed to tag the same at the appropriate place.*

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CRM-M-44937-2023

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.182 dated 06.07.2020, registered under Sections 406, 420, 370, 384 and 506 IPC and Section 24 of Immigration Act, 1983, at Police Station 13-17, HUDA, Panipat, District Panipat.

Learned counsel at the outset submits that the matter between the petitioner as also the complainant stands settled, as per which an amount of Rs.4,50,000/- that had allegedly come to the share of the petitioner, has been paid through online transaction to an intermediary, details of which have been shared with the complainant with a clear understanding that he will receive on the date when the statement would be got recorded regarding the compromise in the petition that is proposed to be filed by the present petitioner for quashing of the FIR based on compromise. There are 2 other cases pending against the petitioner, in which settlement has also been arrived at. He is ready and willing to join the investigation as and when required by the investigating agency and will cooperate.

Notice of motion.

At the asking of the Court, Mr. Jagdish Manchanda, Addl. AG Haryana accepts notice on behalf of respondent-State and Mr. Vishal Singh, Advocate accepts notice on behalf of the complainant and on specific instructions submits that the compromise has been effected between the parties and has no objection for grant of anticipatory bail to the petitioner.

Meanwhile, the petitioner is directed to join the investigation on or before 18.10.2023. In the event of his arrest, he shall be released on interim bail to the satisfaction of the Arresting Officer, subject to

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compliance of conditions as 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.

Adjourned to 04.12.2023."

3. Learned State counsel on instructions from ASI Jitender Singh submits that in compliance of order dated 09.10.2023 passed by this Court, the petitioner has joined the investigation and is not required for further custodial interrogation.

4. Keeping in view the statement made by learned State Counsel the order dated 09.10.2023, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 438(2) Cr.P.C.

5. The petition is accordingly allowed.

6. Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and trial Court shall proceed without being prejudiced by observations of this Court.

(HARPREET SINGH BRAR)
JUDGE

04.12.2023
Ajay Goswami

Whether speaking/reasoned *Yes/No*
Whether reportable *Yes/No*

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