

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

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**CRM-M-48484-2022
Date of decision: 09.03.2023**

Swaran Singh Sidhu

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Karan Kaushal, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.77 dated 03.03.2022 under Section 174-A of the Indian Penal Code, 1860, registered at Police Station Sector-7, District Panchkula.

Learned counsel for the petitioner submits that in the main case under Section 138 of the Negotiable Instruments Act, 1881 (for brevity, 'NI Act'), titled as, "Naveen Kumar Vs. Swaran Singh Sidhu", the petitioner had never received any summon or notice from the Court, and, therefore, he was not aware of pendency of any such case under the NI Act. Subsequently, after declaring the petitioner as proclaimed person, complainant himself intimated the petitioner through message that petitioner has been declared as proclaimed person by the Court. Thereafter, petitioner checked the status of the case online on E-Courts website and compromised the matter with complainant Naveen Kumar and paid the settlement amount to the complainant. Resultantly, matter under Section 138 of NI Act, was withdrawn by the complainant and

was accordingly disposed of being withdrawn vide order dated 08.04.2022 (Annexure P-2). However, since the petitioner had been a proclaimed person, FIR in question was registered. He further submits that in compliance of order dated 19.10.2022, the petitioner has joined investigation and cooperated with the investigating agency.

Learned State counsel on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions submits that the petitioner is not required for further investigation much less for his custodial interrogation.

In view of the above, the petition is allowed and interim order dated 19.10.2022, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

09.03.2023

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(MANJARI NEHRU KAUL)
JUDGE

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