

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

**CRM-M-53504-2022
DECIDED ON:15.02.2023**

LALIT KUMAR

.....PETITIONER

VERSUS

STATE OF HARYANA AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Amit Choudhary, Advocate
for the petitioner.

Mr. Gagandeep Singh Chhina, AAG, Haryana.

SANDEEP MOUDGIL, J (ORAL)

The instant petition under Section 438 Cr.P.C., has been filed for grant of anticipatory bail to the petitioner in FIR No.685, dated 11.11.2021, under Sections 406 and 420 of the IPC, 1860, registered at Police Station City Palwal, District Palwal.

The whole dispute is regarding an amount of Rs. 23,500/- (Annexure P-3) against the petitioner, where the Court ordered to pay the said amount by way of demand draft.

Vide order dated 05.12.2022, learned counsel for petitioner had made statement that the petitioner is ready and willing to settle the dispute by paying the amount due towards him and on that account, the interim bail was granted to the petitioner.

Learned counsel for the petitioner submits that in pursuance to the previous order, a demand draft dated 14.11.2022 bearing No.104096 for an amount of Rs.23,500/- drawn at HDFC Bank in favour of the complainant was submitted to the Investigating Officer during the course of investigation on the last date of hearing.

Mr. Satbir Rathore, Advocate has put in appearance on behalf of respondent No.2 and filed vakalatnama, which is taken on record. He states that he has no instructions with regard to any such demand draft paid to the

complainant and also points out that if any such demand draft has been submitted to the Investigating Officer and the same stands invalidated after expiry of three months.

Faced with this situation, learned counsel for the petitioner undertakes to get the demand draft re-validated and to hand it over to the complainant within a period of one week from today itself.

On the other hand, learned State counsel submits that the petitioner has joined the investigation and he is not required for any further custodial interrogation.

Considering the aforesaid statement made by the learned counsel for the petitioner to the effect that a demand draft as detailed hereinabove has been submitted to the Investigating Officer, the order dated 05.12.2022 is made absolute. However, the petitioner shall abide by the conditions as specified under Section 438(2) of Cr.P.C.

It is further directed that in case the petitioner does not hand over the amount of Rs.23,500/- by way of demand draft in the name of the complainant after getting the same re-validated/afresh demand draft, the respondent No.2 will be at liberty to move an appropriate application for revival of the instant petition.

The Investigating Officer is also directed to hand over the demand draft to the petitioner enabling him to get it validated.

In view of the above, petition is disposed of.

(SANDEEP MOUDGIL)
JUDGE

15.02.2023

Meenu

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>