

213 (1st case)

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

**CRM-M-3782-2024 (O&M)
Date of decision :18.04.2024**

Suresh Kumar Bansal

...Petitioner(s)

Versus

State of Punjab and another

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Arpan Sabharwal, Advocate for the petitioners.

Ms. Manjot Kaur, AAG, Punjab for respondent No.1.

None for respondent No.2 despite service.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of pre-arrest bail to the petitioner in Complaint bearing CIS No.NACT/176/2019 and CNR No.PBJLA1-0011312019, titled as “**Lehember Singh Versus Suresh Kumar Bansal**”, under Section 138 of the Negotiable Instruments Act, 1881.

(2) This Court, on 15.02.2024, passed the following order:-

*“Contends, inter alia, that matter has been compromised
between the parties i.e. petitioner as well as respondent No.2 at
their own level.*

Notice of motion.

*Mr. Neeraj Madaan, Senior Deputy Advocate General,
Punjab, accepts notice on behalf of respondent No.1-State and*

seeks time to have instructions and/or file written response in the matter.

Notice to respondent No.2 in due course.

Posted for 18.04.2023.

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

- (3) Thereafter, on 07.03.2024, aforesaid order was modified by this Court and granted interim bail to petitioner in the following manner:-

“Application for modification of the order dated 15.02.2024.

Notice of the application to non-applicants/respondents.

At this stage, Mr. Neeraj Madaan, Sr. DAG, Punjab accepts notice on behalf of respondent No.1-State and does not oppose the prayer made.

For the reasons stated in the application, same is allowed and the order dated 15.02.2024 is modified to the extent that the petitioner shall join the proceedings before learned trial Court and he be released on interim bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

CRM stands disposed of.

Registry will list the main case on the date already fixed i.e. 18.04.2024.”

- (4) Learned Counsel submits that in pursuance of the aforesaid order, petitioner has already joined the proceedings before learned trial Court and he shall fully cooperate in future. He further submits that petitioner is not involved in any other case.

(4) Learned State Counsel, on instructions, acknowledged that petitioner has joined the proceedings and as on today, his custody is not required. She further acknowledged that petitioner is not involved in any other criminal case. Short reply by way of an affidavit dated 15.04.2024 of Sh. Amandeep Singh, DSP Sub Division Shahkot, District Jalandhar (Rural) has also been filed. The same is taken on record. Copy thereof supplied to the opposite side.

(5) In view of above, interim order dated 07.03.2024 is made absolute as envisaged under Section 438(2) Cr.P.C. and the present petition stands disposed off.

(6) It is made clear that the petitioner shall fully co-operate with the learned trial Court and shall not seek unnecessary adjournments.

(7) 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.

(8) Pending application(s), if any, shall also stand disposed off.

18th April, 2024
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

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