



CRM-M-54976-2023

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

205-1

CRM-M-54976-2023

Date of Decision : November 05, 2024

RAHUL MATIA

-PETITIONER

V/S

STATE OF HARYANA

-RESPONDENT

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Rohit Sharma, Advocate for
Mr. D.S. Matya, Advocate
for the petitioner.

Mr. Rajesh Gaur, Addl. A.G., Haryana.

Mr. Manoj Sharma, Advocate
for the complainant.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant petition, as instituted under Section 438 of the Cr.P.C., a prayer is made for grant of anticipatory bail to the petitioner, in case FIR No.278 dated 28.09.2023, registered under Sections 406, 420, 506 and 120-B of the IPC, at P.S. Shahzadpur, District Ambala.

2. On 03.11.2023, a Co-ordinate Bench of this Court had passed the hereinafter extracted order, upon the instant petition:-

“Contends inter alia that 02 civil suits (Pages 40 & 47) are already pending between the parties i.e. petitioner as well as the complainant and even Inspector Suresh Kumar, SHO, Police Station Shahzadpur, has also been impleaded as defendant No.3 in the second suit; thus, petitioner is being unnecessarily harassed as a counter-blast to the aforesaid civil litigation.

Notice of motion.

Mr. Ashok S. Chaudhry, Addl. A.G., Haryana, accepts notice on behalf of the respondent-State and seeks time to have instructions



and/or file written response in the matter.

Posted for 21.12.2023.

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. The learned counsel for the petitioner submits that, now the matter has been fully settled between the parties and the petitioner has paid the entire amount to the complainant. Moreover, a petition bearing No. CRM-M-54797-2024 has also been filed by the petitioner, thereby seeking quashing of the present FIR, on the basis of compromise.

4. The learned counsel representing the complainant admits the factum of compromise and also admits that the complainant has received the entire amount from the petitioner.

5. Furthermore, the learned State counsel, on instructions imparted to him by the official/officer concerned, states that pursuant to the making of the hereinabove reproduced order, the petitioner had joined investigation and he is no longer required for further custodial interrogation.

6. In view of the above, the hereinabove reproduced interim order dated 03.11.2023 is hereby made **absolute**, subject to the hereinafter extracted conditions:-

“(i) the petitioner shall not commit an offence similar to the present offence;

(ii) the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;

(iii) the petitioner shall make himself available for interrogation by a police officer as and when required.”



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7. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.
8. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

November 05, 2024
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(KULDEEP TIWARI)
JUDGE

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