

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-20663-2015

Date of decision: 01.09.2015

Amritpreet

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

PRESENT: Mr. Vivek K. Thakur, Advocate for the petitioner.

Mr. Gazi Mohd., DAG, Punjab.

Mr. DR Punia, Advocate for complainant/respondent No. 2.

R.P. NAGRATH, J. (ORAL)

This petition under Section 438 Cr.P.C. has been filed by the petitioner seeking anticipatory bail in FIR No. 49 dated 24.05.2015 registered under Sections 406/420/34 IPC at Police Station Rahon, District SBS Nagar.

When this case was listed on 29.06.2015, following order was passed:-

“Learned counsel for the petitioner submits that petitioner is prepared to deposit the amount of ₹ 50,000/- with the Investigating Officer to show his bona fides and this is the amount in question in the FIR.

On the oral request of learned counsel for the petitioner complainant-Hardeep Kaur is impleaded as respondent No. 2.

Registry is directed to carry out necessary

corrections in the memo of parties.

Notice of motion.

On the asking of Court, Mr. Gazi Mohd., DAG, Punjab accepts notice on behalf of respondent-State.

Mr. DR Punia, Advocate has filed power of attorney on behalf of complainant-Hardeep Kaur in Court today and the same be taken on record.

List on 01.09.2015.

Meanwhile, in the event of arrest of the petitioner, he shall be released on bail by the Arresting/Investigating Officer, subject to deposit of ₹ 50,000/- as stipulated above. The petitioner shall also abide by the conditions as enshrined in Section 438 (2) Cr.P.C. ”

On instructions from ASI Baldev Raj, learned State counsel submits that petitioner has joined the investigation and he is no more required for further investigation. It is further submitted that in deference to the order 29.06.2015, the petitioner has deposited an amount of ₹ 50,000/-.

In view of the above and without expressing any opinion on merits of the case, the instant petition is allowed and the interim bail granted to the petitioner vide order dated 29.06.2015 is made absolute and the petitioner shall abide by the conditions as enshrined in Section 438 (2) Cr.P.C.

It is directed that the Investigating Officer, shall deposit the aforesaid amount in shape of FDR fetching maximum interest, in the name of Chief Judicial Magistrate, SBS Nagar in some nationalized bank but disbursement of the same would depend upon the decision of case. The compliance be made within two weeks.

September 01, 2015
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(R.P. NAGRATH)
JUDGE