

CRM-M No.11416 of 2016 (O&M)

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

**CRM-21781 of 2016 in/and  
CRM-M No.11416 of 2016 (O&M)  
Date of Decision : 14.09.2016**

Mukhtiar Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

**CORAM : HON'BLE MR. JUSTICE AJAY TEWARI**

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Present : Ms. Loveleen Dhaliwal, Advocate for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. AG, Punjab.

Mr. M.S.Sidhu, Advocate for the complainant.

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**AJAY TEWARI, J. (Oral)**

**CRM-21781 of 2016**

For the reasons recorded, application is allowed.

Documents annexures P-7 and P-8 are taken on record.

**CRM-M No.11416 of 2016**

On 26.07.2016 the following order was passed:-

*“Pursuant to the order dated 31.05.2016 the learned  
counsel for the petitioner states that the petitioner had  
affixed a full court fee on the recovery suit of Rs.21 lacs.*

*This is a petition for anticipatory bail in case FIR No.33 dated 15.03.2016, registered under Sections 420, 506 IPC, at Police Station Meharban, District Ludhiana. The allegations are that the petitioner had purchased a plot after taking the contribution from the complainant and later on in a panchayati compromise had agreed to refund the amount of Rs.13,61,200/- to the complainant but before the compromise he had sold the plot. On his side, the learned counsel for the petitioner states that the petitioner has filed a suit for recovery of Rs.21 lacs against the complainant amongst others. She has agreed that apart from the merits of the case, the petitioner is ready to create a fixed deposit of Rs.13,61,200/-.*

*Learned counsel for the complainant as well as the learned Additional Advocate General on instructions from ASI Sohan Lal have agreed to this course of action.*

*In the circumstances, the petitioner is directed to create a fixed deposit of Rs.13,61,200/- in favour of the Chief Judicial Magistrate, Ludhiana and hand it over to the Court of Chief Judicial Magistrate, Ludhiana and present the receipt of that deposit before the investigating officer within one month.*

*Adjourned to 14.09.2016.*

*Interim order to continue.”*

Learned counsel for the petitioner states that the fixed deposit has been created as per order dated 26.07.2016.

Learned Additional A.G. on instructions from H.C. Sohan Lal has accepted this fact.

In the circumstances, the interim order dated 04.04.2016 is confirmed with the clarification that this deposit made by the petitioner can not be taken to be admission and has been created only for the purpose of showing bonafidies. It is further clarified that the amount in question will be handed over to the party who will be successful.

In these circumstances, I do not deem it appropriate to deny anticipatory bail to the petitioner.

Resultantly, the petition is allowed. The interim order dated 04.04.2016 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

**14.09.2016**  
*pooja sharma-I*

**( AJAY TEWARI )**  
**JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No