

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

CRM-M-13535 of 2016 (O&M)

Date of decision : 17.08.2016

Sanjeev Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Munish Gupta, Advocate
for the petitioner.

Mr. Mehardeep Singh, Addl. A.G., Punjab
assisted by HC Nathi Ram.

Mr. Kashmir Singh, Advocate
for the complainant.

JITENDRA CHAUHAN, J. (Oral)

CRM No.24500 of 2016

CRM is allowed and Annexures P-7 and P-8 are taken on
record, subject to all just exceptions.

CRM No.24501 of 2016

Allowed as prayed for, subject to all just exceptions.

Main Case

The present petition has been filed under Section 439 of the
Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking regular bail in
case FIR No.103 dated 23.12.2015, registered under Sections 406, 409, 420,

201, 120-B and 506 of the Indian Penal Code (for short 'the IPC'), at Police Station Sadar, Rajpura.

In pursuance of order dated 11.08.2016, the demand draft of ₹10,04,008/- drawn in favour of Registrar of this Court has been handed over in the Court and photocopy of the same is taken on record as Mark 'A'. The draft be delivered to the Office of the Registrar General.

In view of the fact that the entire amount received by the petitioner against Form 'J' qua him has been repaid, the learned counsel for the petitioner states that the petitioner has made the entire payment. This factum is duly acknowledged by the learned counsel for the complainant.

In view of the above, the present petition is allowed, complainant is at liberty to move an appropriate application for disbursement of the amount, tendered by the petitioner in the name of the learned Registrar General as per the entries reflected in 'J' Form.

It is clarified that subsequent to filing of the bail application Sections 409, 201 and 506 IPC have been added in the FIR and the present order shall include these Sections as well. As the entire liability as per the FIR stands discharged and the petitioner is in custody since 12.02.2016, this Court feels that no useful purpose would be achieved in keeping the petitioner behind the bars.

In view of above, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds/surety bonds, to the satisfaction of the trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

17.08.2016
ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No