

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

CRM-M -13865 of 2016 (O&M)

Date of decision: 21.09.2016

Gopal Dass

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Sumeet Puri, Advocate
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.
assisted by ASI Santokh Singh.

Mr. Mohit Garg, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.34 dated 09.03.2016, registered under Sections 420 and 120-B IPC, at Police Station Bhawanigarh, District Sangrur.

On 06.05.2016, this Court had passed the following order:-

“Petitioner seeks the concession of pre-arrest bail in a case registered at the instance of Ranjit Kaur alleging that her husband was duped by the petitioner, Bikkar Singh and Gopal Singh by persuading the complainant and her husband to pay a sum of Rs.4,27,500/- with a promise to sell a house which was not even owned by the petitioner.

Counsel for the petitioner has submitted that the complainant has intentionally opted not to pursue the criminal case against Bikkar Singh and Gurmit Kaur as they had returned the entire amount.

Counsel for the complainant Mr. Mohit Garg has intervened to contend that no amount has been returned by

anyone but he has not been able to explain as to why the criminal prosecution has not been launched against Bikkar Singh and Gurmit Kaur.

Counsel for the petitioner submits that he has got instructions to state that a sum of Rs.3.77 lacs has already been paid by Bikkar Singh and Gurmit Kaur and that he is ready to re-pay the amount to the complainant being his share of money received.

Notice to Advocate General, Punjab, for August 11, 2016.

Meanwhile, an interim direction is issued that the petitioner will join investigation on May 14, 2016 between 10.00 a.m. to 4.00 p.m. alongwith a bank draft of Rs.1.50 lacs in the name of the complainant and in case of his doing so, he will be released on interim bail to the satisfaction of the arresting officer. The said draft will be kept by the investigating officer. ”

It is contended that in pursuance of the order dated 06.05.2016, the petitioner has joined the investigation.

The learned State counsel, on instructions submits that the petitioner has joined the investigation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 06.05.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned and payment of Rs. 1 lakh in pursuance of order dated 06.05.2016 within four weeks from today. The payment shall be subject to final outcome of the matter pending before the trial Court.

The petition stands allowed.

21.09.2016

sumit.k

(JITENDRA CHAUHAN)

JUDGE

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