

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

CRL. MISC. No.M-37401 OF 2018 (O&M)
DATE OF DECISION : 26th OCTOBER, 2018

Ajit Singh

.... Petitioner

Versus

State of Punjab & others

.... Respondents

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

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

Mr. H. S. Grewal, Additional Advocate General, Punjab.

Mr. Gaurav Kalsi, Advocate for
Mr. H. S. Batth, Advocate for respondent No.2.

Mr. Dilpreet Singh Gandhi, Advocate
for respondents No.3 to 6.

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A. B. CHAUDHARI, J. (ORAL)

CRM-32314-2018

The application is allowed and Annexures P-5 to P-7 are taken on record, subject to all just exceptions.

CRL. MISC. No.M-37401 OF 2018

This is second petition filed by the petitioner under Section 438 of Cr.P.C. for grant of anticipatory bail in FIR No.411 dated 12.11.2014 registered under Sections 420 and 120-B IPC at Police Station City Tarn Taran, District Tarn Taran.

The first petition filed by the petitioner was dismissed vide order dated 17.08.2016. The present second petition has been filed on subsequent event namely that by now the petitioner has repaid the entire

amount by cash and cheque to the victims i.e. respondents No.2 to 6. A compromise accordingly has been recorded amongst the parties, which is annexed with the petition as Annexure P-2.

I have heard learned counsel for the rival parties and have gone through the compromise as well as the averments made in the petition.

The learned counsel for respondents No.2 to 6 makes a categorical statement that indeed they have received back the entire amount from the petitioner and they have no grievance now against the petitioner.

In my opinion, in view of this subsequent event and particularly when the victims have no objection for granting anticipatory bail to the petitioner, there is no point in refusing the relief to the petitioner. However, since the petitioner who was responsible for the entire matter and criminal law was required to be set in motion against the petitioner, the petitioner will have to pay a compensatory cost to the State of Punjab in the sum of ₹75,000/-. The amount shall be deposited with the office of the Deputy Commissioner, Tarn Taran, which shall transfer the said amount to the State.

In that view of the matter, I am inclined to grant anticipatory bail to the petitioner. Hence, I make the following order:

ORDER

- (i) CRL. MISC. No.M-37401 OF 2018 is allowed.
- (ii) In the event of arrest of the petitioner in FIR No.411 dated 12.11.2014 registered under Sections 420 and 120-B IPC at

Police Station City Tarn Taran, District Tarn Taran, he shall be released on anticipatory bail to the satisfaction of the concerned Police Station/trial Court on furnishing bail bonds.

- (iii) This order of granting anticipatory bail is subject to the condition that the petitioner shall deposit an amount of ₹75,000/- with the office of Deputy Commissioner, Tarn Taran in two installments. The first installment of ₹40,000/- shall be deposited within a period of three months from today and remaining mount of ₹35,000/- shall be paid thereafter within three months thereafter. In default of deposit of amount, as aforesaid, the concerned Police Station Officer shall arrest the petitioner and produce him before this Court, having committed contempt of this Court.

26TH OCTOBER, 2018
'raj'

(A. B. CHAUDHARI)
JUDGE

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