

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

213

CRM-M No. 39790 of 2018 (O & M)

Date of Decision: 12.10.2018

Lal Singh

.....**Petitioner**

v.

State of Punjab

.....**Respondent**

CORAM HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. S.S. Salar, Advocate, for the petitioner

Mr. Amandeep Singh Gill, DAG, Punjab

Mr. Pankaj Garg, Advocate, for the complainant

RAMENDRA JAIN, J.

Through this petition, under Section 438 Cr.P.C., prayer has been made for grant of anticipatory bail to the petitioner in a case arising from FIR No. 156 dated 9.5.2018, registered under Sections 420 and 120B IPC at Police Station Sahnewal, District Police Commissionerate, Ludhiana.

Complainant Malkit Singh along with counsel has appeared on his own though he is not impleaded as a party and filed power of attorney, which is taken on record.

Learned State counsel, on instructions from ASI Bhupinder Kumar, contends that the petitioner has joined the investigation and is no more required by the police for further investigation. However, the complainant has refuted the alleged compromise, relied upon by the petitioner, allegedly got written from him by the police in police station. In fact, he has been cheated by the petitioner for Rs.3.10 lakhs. Even after receipt of Rs.1.75 lakhs, Rs.1.35

lakhs along with interest shall still be recoverable from the petitioner.

The above version of the complainant shall be kept in mind and considered, during trial by the trial Court.

Learned counsel for the petitioner submits that the petitioner has no objection in releasing the amount of Rs.1.50 lakhs by breaking Fixed deposit receipt got made in compliance of the order dated 28.8.2018 passed in CRM-M No. 37041 of 2018 in the name of trial Court.

In view of the above statement made at bar by learned counsel for the petitioner, the trial Court is directed to break the Fixed Deposit Receipt for Rs.1.50 lakhs in question prematurely and disbursed its proceeds along with upto date interest to the complainant Malkit Singh son of Asha Singh, in accordance with law, against proper receipt and identification.

Since the petitioner is no more required for further investigation, therefore, the order passed by this Court on 12.9.2018, granting him interim bail, is made absolute.

(RAMENDRA JAIN)
JUDGE

12.10.2018

Ashwani

Speaking/Reasoned
Reportable

Yes/No
Yes/No