

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

Criminal Misc.No.M-52448-2018 (O&M)

Date of Decision : 20.12.2018

Samiran Biswas

..... Petitioner

Versus

State of Punjab and another

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present : Mr. Vivek Arora, Advocate
for the petitioner.

Mr. V.G.Jauhar, Sr. DAG, Punjab.

Mr. Sandeep Gahlawat, Advocate for respondent No.2.

RAJ SHEKHAR ATTRI, J. (Oral)

The status report by way of affidavit of Harmandeep Singh Hans IPS, Asstt. Superintendent of Police, Dera Bassi, SAS Nagar, Mohali on behalf of respondent Nos.1 and 2 has been filed. Same is taken on record. Copy has been supplied.

The petitioner has preferred the instant petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.20 dated 29.08.2018, registered under Sections 406, 420, 467, 468, 471, 120-B IPC (Section 467 IPC added later), at Police Station Dhakoli, Zirakpur, SAS Nagar Mohali.

It has been submitted that the petitioner is ready to pay Rs.1,00,000/- at the time of furnishing her bail bonds and the amount which has been seized by the police should be paid to the complainants.

Learned counsel for the complainant(s) is agreed with this proposal.

Keeping in view the fact and circumstances of the case that

conclusion of trial will take considerably long time, the present petition is allowed. Petitioner Samiran Biswas is ordered to be released on regular bail, on depositing an amount of Rs.1,00,000/- through bank draft or in cash with the trial court within 10 days on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of her absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel her bail bond and surety bond and proceed to procure her presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

The concerned investigating officer is also directed to deposit the seized amount with the trial court and the trial court shall convert the seized amount as well as Rs.1,00,000/-, deposited by the petitioner into FDRs in the name of complainant.

20.12.2018
mamta

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No