

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

CRM-M-44878-2017 (O&M)
Date of decision: 29.1.2019

Sushil Chopra

... Petitioner(s)

VERSUS

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Ms.Simsi Dhir, Advocate.
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

Mr. Amit Dhawan, Advocate,
for the complainant.

RAJ SHEKHAR ATTRI, J.

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.225 dated 5.11.2017 registered for the offences punishable under Sections 323, 342, 377, 511 of Indian Penal Code (406, 498-A, 354 IPC added lateron), at Police Station Bhogpur, District Jalandhar.

Heard.

Learned counsel for the complainant as well as State counsel state that although challan has been submitted yet recovery of 44 grams of gold could not be recovered. At this, counsel for the petitioner has submitted that the petitioner is ready to pay the price of 44 grams of gold. Counsel for the complainant submits that price of 44 grams of gold would be approximately ₹ 1,30,000/-.

Without expressing any opinion on the merits of the case, this petition is allowed and the order dated 26.10.2018 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioner shall make himself available for interrogation as and when required by the police;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the trial Court.
- (iv) that the petitioner will seek regular bail on the presentation of challan in Court.
- (v) the petitioner shall pay the aforesaid amount of of ₹ 1,30,000/- to the complainant through bank draft in the name of the complainant and that shall be tendered before the learned Area Magistrate within ten days who in turn shall hand over the same to the complainant against proper receipt. This amount shall be without prejudice to the rights of the parties.

January 29, 2019
Paritosh Kumar

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

