

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

CRM-M-12250-2020 (O&M)

Date of decision: 17.09.2020

Sukhpreet Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Dishant D. Tuteja, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

None for respondent No. 2.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.42 dated 16.03.2020, registered under Section 420 IPC and Section 13 of the Punjab Travel Professionals (Regulation) Act, 2014 at Police Station Goraya, District Jalandhar (Rural).

The operative part of the order dated 19.05.2020, vide which the petitioner has been granted interim bail, is reproduced below:

“As it is the case of the petitioner that he received only ₹1,50,000/- from the complainant and he is willing to return the same given reasonable time, this Court is of the opinion that he would be entitled to interim protection subject to conditions.

The petitioner is accordingly directed to be released on interim bail in the event of his arrest in FIR No.42 dated 16.03.2020 on the file of Police Station Goraya, District Jalandhar Rural, subject to his furnishing a personal bond for a sum of ₹20,000/- along with two

sureties for a like sum each to the satisfaction of the Arresting/Investigating Officer. The petitioner is further directed to deposit the admitted sum of ₹1,50,000/- before the Duty Magistrate within 30 days from the date of receipt of a copy of this order. Upon such deposit, the learned Duty Magistrate shall cause the said amount to be placed in a Fixed Deposit in any Nationalized Bank for a period of six months or pending further orders in this petition, whichever is earlier. The petitioner shall join and cooperate with the investigation as and when called upon to do so. He shall also abide by the conditions stipulated in Section 438(2) Cr.P.C.”

Learned counsel for the petitioner submits that in pursuance to aforesaid order, the petitioner has deposited an amount of ₹1,50,000/- with the Illaqua Magistrate and the Illaqua Magistrate has directed the same to be kept in an FDR.

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 19.05.2020, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on telephonic instructions from the Investigating Officer, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the present petition is allowed and the interim bail granted to the petitioner, vide order dated 19.05.2020, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

Since no one is appearing on behalf of respondent No. 2/complainant, the trial Court is directed to call the complainant and explore the possibility of an amicable settlement between the parties by

handing over the aforesaid amount to complainant.

In case, no settlement is arrived between the parties, the aforesaid amount will remain deposited in FDR, subject to final outcome of the case.

17.09.2020

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No