

HEARD THROUGH VIDEO CONFERENCING
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.14100 of 2020 (O&M)
Decided on: 08.07.2020

Harmesh Lal

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. B.S. Jaswal, Advocate
for the petitioner.

Mr. A.P.S. Gill, AAG, Punjab.

Mr. H.S. Sidhu, Advocate
for respondent No.2/complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.41 dated 22.05.2020 registered under Sections 406, 420 of the Indian Penal Code, 1860 (in short 'IPC') and Section 13 of the Punjab Travel Professionals (Regulation) Act, 2014 and 24 of the Immigration Act, 1983, at Police Station City Banga, District SBS Nagar Nawanshar.

Counsel for the petitioner has argued that in pursuance to the order dated 09.06.2020, the petitioner has joined the investigation and undertakes to pay the amount of Rs.50,000/- per month to the complainant.

Counsel for the State as well as counsel for respondent

No.2 have not raised any serious objection to the same.

Counsel for the complainant has argued that the amount of Rs.3 lacs deposited with the Registrar (Judicial) of this Court be remitted back to the trial Court/Illaq Magistrate so that the complainant may withdraw the same.

Counsel for the petitioner has no serious objection to the same. Counsel for the petitioner further undertake that the petitioner will give an undertaking before the trial Court/Illaq Magistrate that he will pay the amount of Rs.50,000/- per month to the complainant. It is further submitted that the counsel for the complainant be asked to supply the account number of the complainant where the amount is to be deposited.

In view of the above, this petition is allowed, the order dated 09.06.2020 granting interim bail to the petitioner is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

It is made clear that in case the petitioner fails to make the payment of Rs.50,000/- per month to the complainant, it will be open for the complainant to revive this petition.

The Registrar (Judicial) of this Court is also directed to remit the amount of Rs.3 lacs to the trial Court/Illaq Magistrate or in the alternative, prepare a demand draft favouring the complainant – Dharmender Kumar to be given to his counsel. In case the amount is remitted to the trial Court/Illaq Magistrate, the same will be handed over to the complainant – Dharmender Kumar.

However, it will be open for the prosecution to apply for

cancellation of bail of the petitioner, in case the petitioner fails to make the payment of Rs.50,000/- per month to the complainant; found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

08.07.2020
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No