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

**CRM-M No.26642 of 2019
Date of Decision: 12.02.2020**

Amit Arora @ Amit Kumar

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Bipan Ghai, Sr. Advocate with
Mr. Sidharth Sehgal, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

Mr. K.S. Sidhu, Advocate
for the complainant.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439
Cr.P.C in case bearing FIR No.41 dated 18.03.2017 registered
under Sections 406, 420, 120-B IPC at Police Station Jandiala,
District Amritsar.

On 08.11.2019, following order was passed by this
Court:-

“The petitioner is seeking regular bail in FIR

No.41 dated 18.03.2017, under Sections 406, 420 & 120-B IPC, registered at Police Station Jandiala, District Amritsar.

Learned Senior counsel for the petitioner contends that the FIR is outcome of a monetary dispute between the parties. The petitioner, without prejudice to his rights and contentions, is ready to settle the matter. He is willing to pay a sum of Rs.15 lakh to the complainant, and prays for some time in this regard. He also contends that the petitioner will pay the amount of Rs.5 lakh immediately while the rest of the amount of Rs.10 lakh shall be paid within 3 months from now.

Learned counsel appearing for the complainant, upon instructions from Amardeep Singh who is son of the complainant, states that in the event of the petitioner paying sum of Rs.5 lakh, he has no objection if the petitioner is released on interim bail.

On the petitioner depositing a sum of Rs.5 lakh in the shape of a demand draft in favour of the complainant before the trial Court, the petitioner is ordered to be released on interim bail till the next date of hearing on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate. He shall also submit his passport before the trial Court.

The petitioner shall file an affidavit with regard to the schedule of payment of the amount and the details of the assets in his name by the next date of hearing.

List on 05.12.2019.”

It is not in dispute that an amount of Rs.15 lacs has

already been paid to the complainant. Petitioner remained in custody for about seven months. Challan has been presented. Other accused have been declared as proclaimed persons.

Learned State counsel states that the State is not in a position to deny the aforesaid position for want of assistance from the Investigating Officer.

Interim bail was granted to the petitioner subject to deposit of an amount of Rs.5 lacs in the shape of a demand draft in favour of the complainant before the trial Court with a further arrangement of paying remaining amount of Rs.10 lacs so as to make total tally to the tune of Rs.15 lacs. Petitioner has not misused the concession of interim bail.

Learned counsel for the complainant admits the factum of receiving an amount of Rs.15 lacs as ordered by this Court on 08.11.2019.

The offence is triable by the Magistrate. At this stage, it would be just and appropriate to confirm the interim bail granted to the petitioner.

Nothing expressed hereinabove, would be construed to be an opinion on merits of the case.

12.02.2020

Prince

Whether speaking/reasoned
Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No
Yes/No