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

CRM-M No.27423 of 2019(O&M)

Date of Decision:30.01.2020

Surinder Kumar

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. K.S. Dadwal, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

Mr. Rahul Jaswal, Advocate
for respondent No.2.

Mr. Harbans Sharma, Advocate and
Mr. Munish Gupta, Advocate
for respondent No.3.

RAJ MOHAN SINGH, J. (Oral)

Petitioner seeks grant of anticipatory bail in case bearing FIR No.0061 dated 04.06.2019 registered under Sections 409, 420, 465, 467, 468, 120-B IPC at Police Station Haryana, District Hoshiarpur.

Notice of motion was issued on 28.06.2019. Thereafter, vide order dated 05.07.2019, the petitioner was directed to join the investigation before the Investigating Officer and in the event of his arrest, he was ordered to be granted interim bail to the satisfaction of the Arresting Officer. Learned State counsel

was also directed to file an affidavit, disclosing details of members as well as the amount received by them. The readiness of the petitioner was also recorded to the effect that he would refund the amount, if any, entrusted to him by the members of the society.

Thereafter, due to non-compliance of aforesaid order dated 05.07.2019, the interim protection was withdrawn vide order dated 09.12.2019. The inquiry conducted by the Deputy Superintendent of Police, Sub Division Hoshiarpur revealed that the petitioner has transferred an amount of Rs.11,76,950/-, out of which, an amount of Rs.1,00,000/- was transferred in the account of Shingara Singh (member). Petitioner is ready to deposit an amount of Rs.10,76,950/- in the bank account of the Society in village Baghpur within a period of four weeks from today.

Learned State counsel on instructions from ASI Sukhdev Singh states that the status of aforesaid amount of Rs.10,76,950/- is as on 01.10.2019. At this stage, it would be appropriate to consider the aforesaid amount for the purpose of deciding this petition. The aforesaid condition for the time being would suffice to serve the purpose.

In case of non-compliance of the aforesaid understanding, the prosecution would be at liberty to move for

cancellation of anticipatory bail granted to the petitioner.

In view of above, petitioner is directed to join the investigation on 10.02.2020 and in the event of his appearance, he shall be granted anticipatory bail on his furnishing adequate bail bonds/surety bonds to the satisfaction of the Arresting Officer, subject to the following conditions as envisaged under Section 438(2) Cr.P.C:-

- i) that the petitioner shall make himself available for interrogation before the Investigating Officer as and when required;
- ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;
- iii) that the petitioner shall not leave the country, without prior permission of the Court and shall surrender his passport, if any.

CRM No.3858 of 2020 is also disposed of in the light of order passed in the main case.

30.01.2020

Prince

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No