

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

**CRM-M No. 41004 of 2019 (O&M)
Date of Decision:- 10.01.2020**

Pawan Kumar @ Bunt

...Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:- Ms. Jigyasa Tanwar, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

RAJ MOHAN SINGH, J.(Oral)

The petitioner seeks grant of anticipatory bail in case bearing FIR No.176 dated 15.06.2019, registered under Sections 420 and 120-B IPC, at Police Station Division No.8, District Ludhiana.

Notice of motion was issued on 15.10.2019 by passing the following order:-

“Learned counsel for the petitioner contends that an amount of ₹1 lakh, which is shown to have been

reflected in the accounts of Naresh Kumar (husband of the co-accused-Shaveta @ Sunita Rani), shall be refunded to the complainant, in the shape of a Demand Draft, within a period of 2 weeks from today.

Adjourned to 22.11.2019.

In the meanwhile, the petitioner is directed to join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.”

In compliance to the aforesaid order, learned counsel for the petitioner states that the petitioner has joined the investigation and undertakes to join further investigation as and when called upon to do so by the Investigating Agency.

Learned State counsel on instructions from ASI Shish Pal states that demand draft of Rs. 1,00,000/- submitted by the petitioner has already been handed over to the complainant. Co-accused Shaveta @ Sunita Rani has already been granted regular bail by the High Court in CRM-M-34333 of 2019 on 29.08.2019. The police has already retained a photocopy of the demand draft handed over to the complainant.

According to learned State counsel, the complainant has received the aforesaid amount by affixing his signatures.

In view of the facts and circumstances of the case, the alleged payment to the accused side remains debatable.

In view of the statement made by learned State counsel, order dated 15.10.2019 is made absolute, however petitioner shall keep on abiding the conditions as envisaged under Section 438 (2) Cr.P.C.

Petition stands disposed of.

10.01.2020

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**(Raj Mohan Singh)
Judge**

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No