

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-9561 of 2020 (O&M)

Date of decision : 6.7.2021

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Ashwani Kumar

.....Petitioner

vs.

State of Punjab

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. B.S. Sidhu, Senior Advocate with
Mr. R.B. Dhillon, Advocate for the petitioner.

Mr.J.S. Ghuman, Deputy Advocate General,
Punjab.

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H. S. Madaan, J. (Oral)

Case taken up through video conferencing.

Learned State counsel, on instructions from SI Satwinder Singh, has stated that the petitioner has since deposited an amount of Rs.2,38,300/- in the bank account of the complainant in terms of order dated 16.3.2020. It being so, no recovery is to be effected from him and his custodial interrogation is not required.

In these circumstances, the interim bail granted to the petitioner vide order dated 16.3.2020 is made absolute, subject to fulfillment of following conditions:-

- i) that the petitioner shall appear in the Court on each and every date of hearing.
- ii) that the petitioner shall not give any threat or intimidation to the prosecution witnesses.
- iii) that the petitioner shall not leave India without the prior permission of the Court.
- iv) that the petitioner shall surrender his passport before the Investigating Officer and if he is not having passport then he shall file an affidavit in that regard.

In case the petitioner violates any term and condition on which the bail has been granted to him, the prosecution would be entitled to apply for cancellation of bail.

It is made clear that the amount deposited by the petitioner in the bank account of the complainant is without prejudice to his rights in the trial Court and if on conclusion of the trial, the petitioner is acquitted, then the amount is to be refunded to him.

The petition in that way is allowed.

6.7.2021
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(H.S. Madaan)
Judge

Whether speaking / reasoned Yes / No

Whether reportable Yes / No