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

**CRM-M No.21138 of 2021
Date of Decision:22.09.2021**

Tilak Raj Bali

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Sahil Soi, Advocate
for the petitioner.

Mr.Bhupender Beniwal, AAG, Punjab.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video-conferencing.

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.185 dated 08.11.2018 registered under Sections 406, 420, 120-B IPC and Section 3 of the Punjab Travel Professionals (Regulation) Act, 2014 at Police Station Navi Baradari District Police Commissionerate, Jalandhar.

Notice of motion was issued on 27.05.2021 by passing the following order:-

"Notice of motion.

Learned State counsel, on advance service,joins proceedings and accepts notice on behalf of the respondent-State of Punjab and seeks time to

file a report.

Adjourned to 05.08.2021.

In the meanwhile, subject to petitioner paying a sum of Rs.1 lakh within 15 days from today and another sum of Rs.56,000/- after a period of 2 weeks thereafter, no coercive steps qua his arrest shall be taken till the next date of hearing.

The aforesaid amounts have been arrived at as per the contention of the learned counsel for the petitioner, who argues that petitioner is a government servant, has been falsely implicated in the FIR by alleging that he had taken a sum of Rs.5,40,000/- from the complainant. However, in order to buy peace and tranquility and to his maintain friendship with the complainant, he is willing to settle the matter by paying a total sum of Rs.3,70,000/- which per his instructions, he was indeed taken as a loan from complainant.

In order to test the bonafides, petitioner shall pay the admitted amount of loan as per afore mentioned schedule. In case of any default, needless to say, prosecution shall be at liberty to proceed, in accordance with law.

(Arun Monga)

Judge

May 27, 2021”

Thereafter, on 05.08.2021, petitioner was directed to join investigation and the Investigating Officer was directed to record the statement of the complainant in the context of payments made by the petitioner. Learned counsel for the petitioner submitted before the Court that in compliance of order

dated 27.05.2021, petitioner has already paid an amount of Rs.1,56,000/- as per schedule given in the order itself. An amount of Rs.2,14,000/- has already been paid to the complainant.

In compliance of aforesaid order, State has filed a short reply by way of affidavit of Balwinderlqbal Singh Kahlon, PPS Assistant Commissioner of Police, Special Branch cum Central. As per para No.6 of the aforesaid reply, petitioner has paid an amount of Rs.1,56,000/- to the complainant by way of transfer in the bank account of the complainant. Petitioner has also joined the investigation on 12.08.2021.

At this stage, without making any quantification of the amount due towards the petitioner, I deem it appropriate to confirm the order dated 05.08.2021 leaving the parties to establish their claim and liability during trial in accordance with law. Ordered accordingly. Petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

22.09.2021

Amandeep

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No