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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No. 25006 of 2021 (O&M)
Decided on: 09.09.2021

Jagdeep Lal and another

....Petitioners

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. C.S. Rana, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners pray for grant of anticipatory bail in FIR No. 67 dated 06.05.2021, registered under Sections 406, 120-B of the IPC and Section 13 of the Punjab Travel Professionals (Regulation) Act, 2014 at Police Station Sadar, Jalandhar.

The operative part of the order dated 02.07.2021, vide which interim anticipatory bail has been granted to the petitioners, is reproduced as under:-

“...Learned counsel submits that there is a delay of about 01 year and 05 months in lodging the FIR as it is stated in the FIR that in the year 2019, both the petitioners, on the asking of co-accused Malkiat Singh, have filled earth to a height of 7/8 feet and on account of doing the said work, they came in contact with said Malkiat Singh.

Learned counsel further submits that even as per allegations in the FIR, petitioner No. 1 has received Rs.

CASE HEARD THROUGH VIDEO CONFERENCING

15,000/- by a cheque, which was never encashed, whereas petitioner No. 2 has received an amount of Rs. 50,000/- a by cheque and both the petitioners are ready to refund the amount received by them and to show their bona fide, petitioner No. 1 is ready to deposit Rs. 15,000/- and petitioner No. 2 is ready to deposit Rs. 25,000/- with the trial Court/Illaqua Magistrate, without any prejudice to their right of defence.

Notice of motion for 09.09.2021....”

Counsel for the petitioners has submitted that, in pursuance to the order dated 02.07.2021, the petitioners have appeared before the Investigating Officer and have joined the investigation. Counsel for the petitioners has also placed on record the copy of the order dated 27.07.2021 passed by the Additional Chief Judicial Magistrate, Jalandhar, showing the compliance of the order and deposit of the amount with the trial Court.

Counsel for the State, on instructions from ASI Gurdyal Heera, has not disputed the aforesaid fact and submits that the petitioners are no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioners vide order dated 02.07.2021 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

09.09.2021
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Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No