

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

104)

CRM-M-25233 of 2021

Date of Decision: 22.11.2021

Balwinder Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Sarju Puri, Advocate, for the petitioner.
Mr. Manreet Singh Nagra, AAG, Punjab.
Mr. Jansher Singh Bajwa, Advocate, for respondent no.2

AMOL RATTAN SINGH, J. (Oral)

By this petition, filed under the provisions of Section 438 of the Cr.P.C, the petitioner seeks the concession of anticipatory bail, upon FIR no.134, dated 21.05.2021, having been registered at Police Station City Phagwara, District Kapurthala, alleging therein the commission of an offence punishable under Section 420 of the IPC.

On 17.09.2021, the following order had been recorded by this court:-

“Case heard by way of video conferencing.

Notice in CRM no.30463 of 2021, with Mr. Rana Harjasdeep Singh, learned DAG, Punjab, accepting notice on behalf of the respondent State.

Mr. Jansher Singh Bajwa, Advocate, appears and accepts notice on behalf of the complainant, who is ordered to be impleaded as respondent no.2 in the accompanying petition, with the Registry directed to carry out the necessary correction in the memo of parties, by taking his particulars from the FIR on record.

As a pre-condition to allowing this application, it has been put to learned counsel for the petitioner as to whether the amount of Rs.2 lacs as has been deposited by way of a demand draft in the name of the complainant by the petitioner, with the investigating officer, may be released to the complainant, to which learned counsel appearing for him states that the petitioner would have no objection.

That being so, the demand draft of Rs.2 lacs deposited with the investigating officer, be released to the complainant immediately by the investigating officer.

Consequently, this application is allowed, with the petitioner given 6 weeks' time to deposit the remaining amount of Rs.3 lacs, as is stated to have been settled with the complainant.

It is made clear that if the said amount is not deposited and the complainant-respondent no.2 has any objection thereafter, naturally, appropriate orders would be passed by this court on the next date of hearing.

The application is therefore allowed, with hearing in the accompanying petition adjourned to 01.11.2021.

To be shown in the urgent motion list.

Interim order to continue till then only and specifically.”

Thereafter, on 01.11.2021, the following order had been passed by this Court:-

“Today, learned counsel for the petitioner seeks 15 days more time to pay the remaining amount of Rs. 3,00,000/- to the complainant.

On his request, adjourned to 22.11.2021.

To be shown in the urgent motion list.

It is made clear that if the said amount is not paid before that date, the interim order passed on 20.07.2021 would stand vacated, with no further order required to be passed in that regard.”

Today, learned counsel for respondent no.2, i.e. the complainant in the FIR, submits that even today the remaining amount of Rs.3 lacs has not been paid.

That being so, nothing remains to be said by this court, with the petition therefore dismissed and the interim order dated 20.07.2021 hereby vacated.

22.11.2021
vcgarg

(AMOL RATTAN SINGH)
JUDGE

Whether reasoned/speaking: Yes
Whether reportable: No