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

**CRM-M No.30074 of 2021(O&M)
Date of Decision:05.10.2021**

Jaswinder Singh

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Rahul Arora, Advocate
for the petitioner.

Mr. Amar Ashok Pathak, Addl., A.G., Punjab.

Mr. H.S. Sandhu, Advocate for
Mr. Tarun Jhatta, Advocate
for the complainant.

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.67 dated 21.06.2021 registered under Sections 452, 379, 506, 427, 34 IPC (Offence under Section 379 IPC deleted and offences under Sections 454, 380 IPC added later on) at Police Station Makhu, District Ferozepur.

Notice of motion was issued on 30.07.2021. Thereafter, on 10.08.2021, following order was passed:-

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

Learned counsel for the petitioner submits that in respect of occurrence dated 18.06.2021, FIR came to be registered only on 21.06.22021. It has been alleged in the FIR that talks regarding mutual compromise were in offing. Allegations are that petitioner and others have ransacked the house after breaking open the outer gate door. They have caused damage to the door besides breaking LCD and taking away an amount of Rs.15,000/- from an almirah.

Learned counsel further submits that without prejudice to the right of the petitioner, petitioner shall deposit an amount of Rs.50,000/- in the court of Chief Judicial Magistrate, Ferozepur.

Notice of motion was issued on 30.07.2021.

Subject to deposit of aforesaid amount with the Chief Judicial Magistrate, Ferozepur, the petitioner is directed to join investigation and in the event of his arrest, he shall be enlarged on interim bail, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

The Chief Judicial Magistrate, Ferozepur shall deposit the said amount in some Nationalized Bank so as to fetch maximum interest. The successful party may get it on final conclusion of criminal proceedings.

Adjourned to 28.09.2021.”

The amount of Rs.50,000/- as undertaken on behalf of

the petitioner was not deposited with Chief Judicial Magistrate, Ferozepur. On 28.09.2021, learned counsel for the petitioner sought time in order to apprise this Court whether said amount was deposited in the Court or not.

Today, learned counsel for the petitioner submits that the petitioner is not willing to deposit the said amount. Even a report dated 22.09.2021 has been received from the Court of Chief Judicial Magistrate, Ferozepur, endorsing that the petitioner has not deposited the amount of Rs.50,000/- in compliance of order dated 10.08.2021 passed by this Court.

In view of aforesaid factual position, I deem it appropriate to dismiss the present petition. This petition is accordingly dismissed.

05.10.2021

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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No