

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

104+215)

CRM-M-40451 of 2020 (O&M)
Date of Decision: 11.01.2021

Avtar Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Paramvir Singh, Advocate, for the petitioner.
Mr. Sandeep Kumar, DAG, Punjab.

AMOL RATTAN SINGH, J. (Oral)

Case heard by video conferencing.

On 09.12.2020, the following order had been passed:-

“All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the COVID-19 pandemic.

This petition has been filed under the provisions of Section 439 of the Cr.P.C. seeking 'regular bail' for the petitioner in case FIR no. 0041, dated 01.03.2019, registered at Police Station City Bhawanigarh, District Sangrur, for the alleged commission of offences punishable under Sections 420/120-B of the IPC. Learned counsel for the petitioner submits that though Rs. 1,00,000/- is stated to have been deposited in the petitioners' account as per the FIR, the other allegations of making promises of sending the complainants son/relative abroad are against the co-accused of the petitioner.

He further submits that in fact the money paid has been returned to the complainant, in respect of which he is stated to have sent some receipts by way of a 'Whatsapp communication' to the Reader of this court.

The said receipts be placed on record by way of a proper application.

Adjourned to 11.01.2021.

In the meanwhile, the complainant in the FIR, i.e. Manjeet Singh, son of Nand Singh, resident of Village Gharachon, Tehsil and District Sangrur, is ordered to be impleaded as respondent no. 2 in the petition, with notice to be issued to the said respondent, returnable by the next date of hearing, i.e. 11.01.2021.

The Registry is directed to carry out necessary corrections in the memo of parties.

Learned State counsel would also naturally take instructions with regard to any compromise having been reached between the petitioner and the complainant.”

As per the report of the Registry, even the process fee was not filed to serve the added respondent no.2, i.e. the complainant in the FIR.

Upon initially counsel for the petitioner submitting that he would file the process fee as it was not done earlier due to an error on the part of his clerk, and this court having been inclined to issue fresh notice upon process fee being filed, thereafter he has appeared in the post lunch session to submit that the petitioner does not wish to pursue this petition.

Dismissed as withdrawn.

It is to be noticed here that the State counsel was already present on the last date of hearing itself. Consequently, in his presence the aforesaid contention has been noticed with the petition ordered to be dismissed as withdrawn and with him to convey to the SP and the SHO concerned that the interim order issued in favour of the petitioner on

December 09, 2020 consequently stands immediately vacated.

11.01.2021
vcgarg

(AMOL RATTAN SINGH)
JUDGE

Whether reasoned/speaking: Yes

Whether reportable: No