

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

CRM-M No. 8238 of 2021 (O&M)

Date of Decision: 09.03.2022

Inderjit Singh

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Ms. Amarinder Kaur, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior Deputy Advocate General, Punjab,
assisted by Sh. Baljit Singh, ASI.

Mr. Kanwar Arun Singh, Advocate
for the complainant.

SURESHWAR THAKUR, J. (ORAL)

CRM-5004-2021

1. The application is allowed, as prayed for.
2. Exemption from filing the original / certified / true typed copies of the enclosed annexures with the petition, is granted, subject to all just exceptions.

MAIN CASE

1. The petitioner, by filing the present petition under Section 438 Cr.P.C. seeks grant of anticipatory bail in case FIR No. 14 of 12.02.2020, which was registered against him, at Police Station City Raikot, District Ludhiana Rural, constituting therein offences under Sections 420, 406, 120-B of the IPC.
2. It is alleged in the FIR (supra) that the bail applicant / petitioner duped the complainant of a sum of Rs. 16 lakhs. From the afore sum, Rs.

3. The learned counsel for the petitioner, on instructions, given to her, by the petitioner, submits that the petitioner is ready and willing to, at this stage, as a pre-condition for this Court, admitting the petitioner to anticipatory bail, hence deposit an amount of Rs. 3.5 lakhs, before the Investigating Officer (IO) concerned.

4. The afore made submission is accepted.

5. Consequently, as a pre-condition for this Court, admitting the bail petitioner to anticipatory bail, besides subject to his furnishing personal and surety bonds in the sum of ₹ 50,000/- each, before the Investigating Officer concerned, rather shall also, within a week hereafter, deposit a sum of Rs. 3.5 lakhs, with the IO concerned. Moreover, it is also subject to his not tampering with prosecution evidence, and/or not influencing prosecution witnesses, and, also his making an undertaking, that as and when he is summoned by the investigating officer, through a written Hukamnama, he will cooperate in the investigations to be made into the offence(s) concerned.

6. It is open to the Investigating Officer concerned, to, after his receiving the afore amount, and, upon no compromise occurring inter se the petitioner and the complainant, to draw an affirmative report, in accordance with law, under Section 173 of the Cr.P.C., and, file it before the learned Illaqa Magistrate concerned.

7. In the afore event, the IO shall also deposit a sum of Rs. 3.5 lakhs, as received by him, from the bail petitioner, as a pre-condition for this Court, admitting him to anticipatory bail, rather in the establishment of the learned Illaqa Magistrate concerned. The disbursement of the afore shall be

subject to the outcome of the trial, as, becomes entered into by the learned Magistrate concerned, qua the accused, vis-a-vis, charges drawn against him in consonance with the FIR (supra).

8. However, in case, a compromise occurs, hence between the parties, during the pendency of the investigation made into the offences (supra), thereupon, the IO concerned, may, in terms of the compromise, placed before him, by the petitioner and the complainant, rather release the afore deposited sum of money to the complainant - victim.

9. Disposed of.

March 09, 2022
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(SURESHWAR THAKUR)
JUDGE

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>