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

CRM-M-13753-2022

Date of decision:09.08.2022

MOHD. RAMZAN @ ZANA

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Navjot Singh, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab

SURESHWAR THAKUR, J. (ORAL)

1. The petitioner, by filing the present petition cast under Section 438 of Cr.P.C., seeks grant of anticipatory bail in case FIR No.81 of 11.07.2021, registered at Police Station City 1 Malerkotla, District Sangrur, wherein offences constituted, under Sections 419, 420, 465, 467, 468, 469, 470, 471 read with Section 120B of IPC, are embodied.

2. This Court, through an order made, on 01.04.2022, had granted *ad-interim* bail to the present bail petitioner.

3. The prosecution alleges that under a fraudulently drawn agreement to sell the present bail petitioner received Rs.9 lacs, as earnest money, its comprising his share in the earnest money totalling a sum of Rs.25,50,000/-.

4. Without delving deep into the merits of the case, and, nor making any adjudication thereon, the very fact that the learned counsel for the petitioner submits that he is ready, and, willing to deposit a sum of Rs.5 lacs, in the establishment of the learned trial Judge concerned.

Consequently, this Court makes the above deposit, as a condition precedent for admitting the present bail petitioner to pre-arrest bail.

5. The further reason which constrains this Court, for admitting the present bail petitioner, to pre-arrest bail, is comprised in the factum, that at this stage, no evidence has been adduced by the prosecution, suggestive that in the event of the bail petitioner being admitted to anticipatory bail, there is every likelihood of his fleeing from justice or tampering with prosecution evidence or influencing the prosecution witnesses.

6. In summa the order as made, by this Court, on 01.04.2022, is with condition (supra) made absolute, and, also on the same terms and conditions, but with a condition precedent that the present petitioner shall within a week deposit a sum of Rs.5 lacs in the establishment of the learned trial Judge concerned, whose disbursement would become regulated by the outcome of the trial, as may become entered, upon by the learned trial Judge concerned. In addition he shall not tamper with prosecution evidence, and, nor shall influence prosecution witnesses.

7. Disposed of.

09.08.2022

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**(SURESHWAR THAKUR)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:

Yes/No