

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

**CRM-M No. 13485 of 2022
Date of Decision: 16.05.2022**

Gurpal Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Deepak Aggarwal, Advocate for the petitioner.

Ms. Bhavna Gupta, Deputy Advocate General, Punjab

SURESHWAR THAKUR, J. (ORAL)

1. The petitioner, by filing the present petition under Section 438 Cr.P.C., seeks grant of anticipatory bail in case FIR No. 27 of 24.02.2022, which was registered against him, at Police Station City Malout, District Sri Muktsar Sahib, and, constitutes therein an offence under Section 379-B of the IPC (Section 411 of the IPC added later on).

2. This Court, through an order made on 31.03.2022, had granted ad interim bail to the bail applicant / petitioner.

3. The incriminatory role, as, assigned to the bail petitioner is, that he alongwith three other accused, allegedly snatched cash worth of Rs. 11,000/- from the victim – aggrieved. From amongst the afore snatched cash, a sum of Rs. 5,000/- became disbursed, by the other co-accused, to the present bail petitioner.

4. The learned State Counsel, on instructions, given to her, by the Investigating Officer (IO) concerned, submits that during the course of investigation into the petition FIR, a sum of Rs. 1,000/- has been returned by the present petitioner to the aggrieved – victim. However, yet a sum of Rs. 4,000/- remains unrecoverd to the IO concerned, by the present bail petitioner. Therefore,

the petitioner directed to, forthwith handover, to the IO concerned, the further sum of Rs. 4,000/-, and, thereafter the IO concerned, shall deposit, it in the Malkhana of the police station concerned, and, that at the time of filing of a report under Section 173 of the Cr.P.C., before the learned Magistrate concerned, it be deposited in the establishment of the learned trial Magistrate concerned.

5. The learned counsel for the petitioner does not oppose the afore said directions.

6. Given the above, and, when no evidence has been adduced by the prosecution, at this stage, suggesting that in the event of the bail applicant being enlarged on anticipatory bail, there is every likelihood of his fleeing from justice, and, or, tampering with prosecution evidence.

7. Consequently, as a pre-condition for this Court, hence making absolute the order, made by this Court on 31.03.2022, it is directed, that the bail applicant shall deposit, within two weeks hereafter, a sum of Rs. 4,000/- with the IO concerned.

8. In the afore event, the IO shall deposit, the sum of Rs. 4,000/-, as received by him, from the bail petitioner, as a pre-condition for this Court, making absolute the order made on 31.03.2022, 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, may become entered into, by the learned Illaqa Magistrate concerned.

9. The other conditions made in the order of 31.03.2022, as, made, by this Court, shall also be continued to be abided by the petitioner.

10. Disposed of.

May 16, 2022

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(SURESHWAR THAKUR)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No