

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

**CRM-M No. 15900 of 2022
Date of Decision: 25.04.2022**

Dharamveer Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Vikas Gupta, Advocate for the petitioner.

Mr. Amitoj Singh Dhaliwal, Deputy Advocate General, Punjab

Mr. Hemraj Bhardwaj, Advocate
for the complainant.

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. 41 of 18.03.2022, which was registered against him, at Police Station Raman, District Bathinda, constituting therein an offence under Section 420 of the IPC.

2. This Court, through an order made on 20.04.2022, had granted ad interim bail to the bail applicant / petitioner.

3. The incriminatory role, as, assigned to the bail petitioner is that he alongwith his deceased-father, wrongfully gaining, and, wrongfully depriving, the complainant for a sum of Rs. 10 lakhs.

4. The learned State Counsel, on instructions, meted to him, by ASI Randhir Singh, submits that that the entire investigations are complete, and, that very soon, an affirmative report under Section 173 of the Cr.P.C., would be instituted, by the IO concerned, before the learned trial Court concerned. Moreover, also no evidence is 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.

5. Though, in the light of the afore statement, this Court may become constrained to make absolute the order (supra), as, made by this Court, but the learned counsel for the complainant – victim submits, that as a pre-condition for this Court, admitting to anticipatory bail, the present bail petitioner, a direction be made upon him to deposit a sum of Rs. 4 lakhs, before the Investigating Officer (IO) concerned, who shall thereafter, 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., it be directed to become deposited in the establishment of the learned trial Magistrate concerned.

6. The afore argument is not opposed by the learned counsel for petitioner.

7. Consequently, as a pre-condition for this Court, hence making absolute the order, made by this Court on 20.04.2022, it is directed, that the bail applicant shall deposit, within four weeks hereafter, a sum of Rs. 4 lakhs with the IO concerned.

8. In the afore event, the IO shall deposit the sum of Rs. 4 lakhs, as received by him, from the bail petitioner, as a pre-condition for this Court, making absolute the order made on 20.04.2022, 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 upon, by the learned Illaqa Magistrate concerned.

9. The other conditions made in the order of 20.04.2022, as, made, by this Court, shall also continue to be abided by the petitioner.
10. Disposed of.

April 25, 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>