

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

**CRM-M-17953-2021 (O&M)**

**Date of Decision: 11.01.2022**

**Paramjit Singh alias Joga**

**.....Petitioner**

**Vs.**

**M/s Bachitar Singha and another**

**.....Respondents**

**CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH**

Present: Mr. Avtar Singh Khinda, Advocate,  
for the petitioner.

Mr. Anurag Arora, Advocate,  
for respondent no. 1.

Mr. M.S. Nagra, A.A.G., Punjab.

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**AMOL RATTAN SINGH, J. (ORAL)**

Case heard via video conferencing.

On 24.08.2021, an order had been passed by this court reproducing an earlier order already passed and thereafter stating as follows:-

*“Other than that, learned counsel for the petitioner submits that in terms of the observation made by this court in that order, he has taken instructions to the effect that the petitioner is willing to deposit Rs.30,000/- with the trial court during the pendency of this petition, till it is determined as to whether he was duly and legally served of the process issued under Section 82 of the Cr.P.C.*

*That being so, notice of motion is issued, with Mr. Ramdeep Partap Singh, DAG, Punjab, accepting notice at the asking of the court on behalf of respondent no.2 (State of Punjab).*

*A copy of the petition be supplied to him today itself by learned counsel for the petitioner.*

*Notice to be issued to respondent no.1 would be returnable on 07.10.2021.*

*In the meanwhile, upon the petitioner depositing Rs.30,000/- with the learned trial court, he would be admitted to interim bail, upon him further furnishing adequate bail and surety bonds to the satisfaction of that court, till the next date of hearing before this court, with, naturally, learned counsel on both sides to address arguments as to whether process issued under the aforesaid provision of the Cr.P.C. was duly served on the petitioner or not.”*

On 12.10.2021 it was recorded as follows:-

*“Thereafter, counsel for the petitioner not having come present on 07.10.2021, counsel for the complainant submitted that as per his instructions, the petitioner has not deposited Rs.30,000/- as he has been directed to deposit, but with counsel for the petitioner today producing in court a photocopy of an e-challan shown to be issued by the Government of Punjab, in the Department of Treasury, to the effect that Rs.30,000/- has been deposited by the petitioner pursuant to the aforesaid order of this court.*

*That being so, adjourned to 25.11.2021.*

*The respondents would file a reply if they wish, before the next date of hearing, with is also made clear by this court that obviously, the interim order has been passed in terms of the prayer made only in this petition, i.e. in the context of Criminal Complaint bearing No.NACT/7150/2017 only.”*

Thereafter, on the last date of hearing counsel for the petitioner had placed on record orders passed by the trial court between 10.11.2017 to 13.11.2019.

Looking at the fact that the present petition is only one seeking that the petitioner be admitted to bail under the provisions of Section 438 of the Cr.P.C. and he has surrendered before the trial court and deposited Rs. 30,000/- as directed by this court, I would see no further reason to continue with this petition, which is consequently allowed, with the interim order dated 24.08.2021 passed in favour of the petitioner, admitting him to interim bail, made absolute on the same terms and conditions, with it obviously to be observed that if the petitioner does not appear before the trial court on any date summoned in the future (unless he is granted exemption by specific order to be passed by that court), naturally the bail bonds to be furnished by him would be forfeited, as would be the amount of Rs. 30,000/- as he has deposited as a pre-condition to being to anticipatory bail.

Again naturally, as regards the FIR registered against him under the provisions of Section 174-A of the IPC, that would be taken to its logical conclusion, as per procedure.

**January 11, 2022**  
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**(AMOL RATTAN SINGH)**  
**JUDGE**

Whether speaking/reasoned  
Whether Reportable

Yes/No  
Yes/No