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

(1)

CRM-M-20003-2022

Date of decision:09.08.2022

DHARMINDER SINGH @ SABU

...Petitioners

Versus

STATE OF PUNJAB

...Respondent

(2)

CRM-M-21634-2022

AVTAR SINGH @ AVTAR SINGH AULAKH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. S.P.S. Sidhu, Advocate for the petitioner(s).

Mr. Bhupender Beniwal, AAG, Punjab

SURESHWAR THAKUR, J. (ORAL)

1. Both these bail petitions cast, under Section 438 Cr.P.C., are being disposed of through a common order, as they arise from a common FIR.

2. In FIR No.242 of 22.12.2021, registered at Police Station Sadar Shri Muktsar Sahib, District Shri Muktsar Sahib, offences constituted under Sections 364-A, 365, 384, 386, 506, 34 of IPC, and, under Sections 25, 27 of Arms Act, are embodied.

3. Through orders made respectively, on 11.05.2022, and, on 19.05.2022, upon bail petitions (supra), this Court had granted ad-interim bail to the present bail petitioner(s).

4. The prosecution alleges that the complainant was kidnapped by some unknown persons, and, was set free after getting ransom amount of Rs.25

lacs.

5. Without delving deep into the merits of the case, and, nor making any adjudication thereons, the very fact that the learned counsel, for the petitioner(s) submits that they are ready, and, willing to deposit a sum of Rs.3 lacs each, 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(s) to pre-arrest bail.

6. The further reason which constrains this Court, for admitting the present bail petitioner(s), 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(s) being admitted to anticipatory bail, there is every likelihood of theirs fleeing from justice or tampering with prosecution evidence or influencing the prosecution witnesses.

7. In summa the orders as made, by this Court, respectively, on 11.05.2022, and, on 19.05.2022, are with condition (supra) made absolute, and, also on the same terms and conditions, but reiteratedly with a condition precedent that the present petitioner(s) shall within a week deposit a sum of Rs.3 lacs each, in the establishment of the learned trial Judge concerned, whose disbursement would become regulated by the outcome of the trial, as become entered, upon by the learned trial Judge concerned. In addition they shall not tamper with prosecution evidence, and, nor shall influence prosecution witnesses.

8. Disposed of.

(SURESHWAR THAKUR)
JUDGE

09.08.2022

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Whether speaking/reasoned:-	Yes/No
Whether reportable:	Yes/No