

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208

CRM-M-20215-2022
Decided on :19.07.2022

Harjit Singh

. . . Petitioner

Versus

State of Punjab and another

. . . Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. Vishal Sharma (Vasudeva), Advocate
for the petitioner.

Mr. Sarabjit S. Cheema, AAG, Punjab.

Mr. Naveen Batra, Advocate
for respondent No. 2-complainant.

VIKAS BAHL, J. (Oral)

This is a petition for grant of anticipatory bail to the petitioner in FIR No. 39 dated 28.04.2022 registered under Sections 420 and 406 of the Indian Penal Code, 1860 registered at Police Station Anandpur Sahib, District Rupnagar.

On 12.05.2022, this Court was pleased to pass the following order:-

“Inter alia, contends that the present case has civil trappings and the petitioner has also filed a civil suit. It is submitted that in order to show his bona-fide, the petitioner is ready to pay an amount of Rs.1,00,000/- to the complainant without admitting his liability.

On the oral request of learned counsel for the petitioner, complainant-Tarlochan Singh son of Balvir Singh, resident of village Mataur, Tehsil Shri Anandpur Sahib, District Rupnagar, is impleaded as respondent No.2 in the present case. The Registry is directed to carry out the necessary corrections in the memo of parties.

Notice of motion for 19.07.2022.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

Petitioner is directed to get a demand draft of Rs.1,00,000/- in the name of complainant on the next date of hearing.

It is made clear that in case the demand draft of Rs.1,00,000/- in the name of complainant is not brought on the next date of hearing, the interim order granted in favour of the petitioner would be liable to be vacated. ”

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid order, the petitioner has already handed over the demand draft to the tune of Rs.1,00,000/- in the name of complainant to the counsel for the complainant. It is further submitted that the petitioner has joined the investigation.

Learned counsel for the State, on instructions from ASI Pritam Singh, has submitted that the petitioner has joined the investigation on 31.05.2022 and is not required for further investigation.

Learned counsel for the complainant has submitted that he has received a demand draft of Rs.1,00,000/- in the name of the complainant and would hand over the same to the complainant.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 12.05.2022 and also the fact that the petitioner has joined the investigation

and is not required for further investigation and the demand draft to the tune of Rs.1,00,000/- has already been given by the petitioner to the counsel for the complainant, the present petition is allowed and the interim order dated 12.05.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

(VIKAS BAHL)
JUDGE

19.07.2022

Mehak

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No