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

**CRM-M-29542-2022 (O&M)**

**Date of decision:13.07.2022**

**BHUPINDER SINGH @ BHINDER**

...Petitioner

Versus

**STATE OF PUNJAB**

...Respondent

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR**

Present: Mr. K.S. Brar, Advocate  
for the petitioner.

Mr. Harpreet Singh Multani, AAG, Punjab

Mr. Anurag Bali, Advocate for  
Mr. Puneet Bali, Advocate  
for complainant.

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**SURESHWAR THAKUR, J. (ORAL)**

**CRM-23717-2022**

The instant application has been filed under Rule 3-A(I) Chapter VI Part B, Volume V of the High Court Rules and Orders for grant of leave to file the present petition.

For the good and valid reasons recorded in the application, the same is allowed.

**CRM-M-29542-2022**

1. The petitioner, by filing the present petition cast under Section 438 of Cr.P.C., seeks grant of anticipatory bail in case FIR No.0052 of 23.05.2022, registered at Police Station Bahawala, District Fazilka, wherein offences constituted, under Sections 365, 506, 148, 149 of IPC, and, under Sections 25, 27 of Arms Act, are embodied.

2. The incriminatory role, as assigned to the present bail petitioner, is that, he through wielding a pistol, at the crime site, and, also through his ensuring the carrying of the co-accused, in his car, to the crime site, hence facilitating the principal co-accused Harmail Singh, to extort a sum of Rs.2 lacs, from the victim.

3. Without delving deep into the merits of the case, and, that too, without making any insistence, upon the present bail petitioner to, as a pre-condition for his being admitted to anticipatory bail, to deposit the extorted sum of Rs.2 lacs, in the establishment of the learned trial Magistrate concerned, whose disbursement would become regulated by the outcome of the trial, as may become entered into, by the learned trial Magistrate concerned, rather becomes grooved in the trite factum that this Court, on 06.07.2022, had made a direction upon, the co-accused Harmail Singh to make the above deposit of the extorted money, in the establishment of the learned trial Magistrate concerned.

4. However, since the present bail petitioner is required to be making the recovery of the crime pistol, and, also of the crime vehicle, therefore, the present bail petitioner though, is admitted to anticipatory bail, yet with a condition precedent that, he shall within a week from today, cause the making of the recovery of the crime pistol, as well as, of the crime vehicle, to the investigating officer concerned.

5. With the above condition, the present petition is allowed, and, in the event of the arrest of the bail petitioner, the investigating officer may not arrest the bail petitioner, however, subject to his furnishing personal, and, surety bonds in the sum of Rs.50,000/- each, to the satisfaction of the arresting officer, and, also subject to his rendering co-operation to him, in the investigations to be carried into the offences mentioned in the present FIR. Moreover, also with an

undertaking, that he shall not tamper with prosecution evidence, and, nor shall influence the prosecution witnesses.

6. It is clarified that, in case the above made conditions, upon the present bail petitioner are not complied with, thereupon the order as made, shall become *ipso facto* annulled, and, shall give leverage to the police, to forthwith arrest him, and, to thereafter produce him, before the learned Magistrate concerned, to enable the latter make an order for his being put to either police remand or judicial custody.

13.07.2022

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(SURESHWAR THAKUR)  
JUDGE

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