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

CRM-M-36321-2022

Date of decision : 31.10.2022

Ambala Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Ms. Sukhveer Kaur, Advocate for
Mr. Raj Kumar Arya, Advocate for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.12 dated 02.03.2021 registered under Sections 420, 120-B of the Indian Penal Code, 1860 at Police Station Ramdas, District Amritsar Rural.

On 18.08.2022, this Court had passed the following order:-

“Learned counsel for the petitioner inter alia contends that in the present case, the petitioner has been implicated only on account of being the son of Parnam Singh and even agreement dated 13.07.2020 has been entered into with Parnam Singh and not with the present petitioner. It is further submitted that petitioner in order to show his bona fide, is ready to give an amount of Rs.50,000/- to the complainant without admitting his

liability.

Notice of motion for 28.09.2022.

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.

The petitioner is directed to prepare demand draft of Rs.50,000/- in the name of complainant and is also directed to give the same to the Investigating Officer within a period of three weeks from today, who shall further hand over the same to the complainant.

It is made clear that in case, the demand draft of Rs.50,000/- is not given to the Investigating Officer prepared in the name of the complainant within a period of three weeks from today, then the present interim relief granted in favour of the petitioner would be liable to be vacated.

The payment of the amount of Rs.50,000/- would not be construed as an admission of guilt by the petitioner.”

Thereafter, on 17.10.2022, the following order was passed:-

“Learned State Counsel has submitted that the petitioner has not joined the investigation.

The petitioner is again directed to join the investigation before the concerned Investigating Officer on 21.10.2022 at 11:00 AM.

Adjourned to 31.10.2022.

Interim order to continue.

Learned State Counsel is directed to verify the fact as to whether the demand draft amounting to Rs.50,000/- has

been handed over by ASI Lakha Singh to the complainant or not.”

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid orders, the petitioner has joined the investigation and has handed over the demand draft amounting to Rs.50,000/- to ASI Lakha Singh..

Learned counsel for the State, on instructions from ASI Gurcharan Singh, has submitted that the petitioner has joined the investigation and is not required for any further custodial interrogation. It is further submitted that demand draft amounting to Rs.50,000/- has been handed over to the complainant by ASI Lakha Singh.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 18.08.2022 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 18.08.2022 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.

31.10.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No