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

CRM-M-37864-2022

Date of decision : 31.10.2022

Sheetal Tandon

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. J.S. Rana, Advocate for
Mr. Sandeep Arora, Advocate for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

Mr. Amandeep Singh, Advocate for the complainant.

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.53 dated 10.04.2021 registered under Sections 420, 120-B of the Indian Penal Code, 1860 and Section 13 of Punjab Travel Professionals (Regulation) Act, 2014, at Police Station Division No.6, District Jalandhar.

On 25.08.2022, this Court had passed the following order:-

“Learned counsel for the petitioner inter alia contends that the present dispute has civil trappings and co-accused of the petitioner namely Chetan Kumar Prashar against whom the allegation is of admitting the fact of receiving an amount Rs.14,76,000/-, has also been granted

the concession of anticipatory bail by this Court and it is the said Chetan Kumar Prashar who has paid Rs.5,00,000/- to the complainant. It is contended that the petitioner in order to show his bona fide, is ready to give an amount of Rs.4,00,000/- to the complainant-Karanjit Singh without admitting his liability.

Notice of motion for 27.09.2022.

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.4,00,000/- in the name of complainant-Karanjit Singh and is also directed to give the same to the Investigating Officer within a period of one month from today, who shall further hand over the same to the complainant after getting a receipt from him.

It is made clear that in case, the demand draft of Rs.4,00,000/- is not given to the Investigating Officer prepared in the name of the complainant within a period of one month 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.4,00,000/- would not be construed as an admission of guilt by the petitioner. ”

Thereafter, on 27.09.2022, the following order was passed:-

“Learned State counsel, on instructions of ASI Manju Bala, has submitted that the petitioner has not joined investigation.

Learned counsel for the petitioner has submitted that the petitioner is carrying a demand draft of Rs.2 lacs in the name of the complainant and has handed over the same to the counsel for the complainant and has further submitted that a further period of one month is required for getting prepared a demand draft of the balance amount of Rs.2 lacs.

The petitioner is directed to get a demand draft of the balance amount of Rs.2 lacs in the name of the complainant on the next date of hearing and is also directed to join the investigation on 10.10.2022 at 11:00 AM.

Adjourned to 31.10.2022.

Interim order to continue.

It is made clear that in case the said conditions are not complied with, then 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 dated 27.09.2022, the petitioner has joined the investigation. Today, he has got alongwith him a demand draft amounting to Rs.2 lacs prepared in the name of complainant and has handed over the same to the learned counsel appearing on behalf of complainant.

Learned counsel for the State, on instructions from ASI Jagdish Lal, has submitted that the petitioner has joined the investigation and is not required for any further custodial interrogation.

Learned counsel for the complainant has affirmed the fact that demand draft amounting to Rs.2 lacs has been handed over by learned counsel for the petitioner to him. It is further submitted that the petitioner has paid an amount of Rs.4 lacs and co-accused Chetan has paid an amount of Rs.5 lacs and thus, total Rs.9 lacs has been paid, although, the total

amount to be paid was Rs.14 lacs.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in order dated 25.08.2022 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation and the fact that the petitioner has complied with order dated 25.08.2022, the present petition is allowed and the interim order dated 25.08.2022 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