

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-38190-2022
Date of decision : 27.09.2022

Darshan Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Deepak Gupta, Advocate
for the petitioner.

Mr.Tarun Aggarwal, Sr.DAG, Punjab.

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR no.04 dated 23.01.2021 registered under Sections 420, 218, 120-B and lateron added Sections 465, 467, 468, 471 IPC at Police Station Sadiq, District Faridkot.

On 08.09.2022, this Court was pleased to pass the following order:-

“Inter alia contends that in the present case, the petitioner was Patwari at Halqa Maur, Nabha-II till 19.07.2017 as per para 8 of the affidavit filed by the Deputy Superintendent of Police, Sub Division Fardikot and all the three sale deeds have been executed after the said date. It is further submitted that in order to show his bonafide and without admitting his liability, the petitioner is ready to pay an amount of Rs.3 lacs to the complainant Balraj Singh within a period of two weeks. It is further submitted that in case the petitioner does not pay the said amount within the aforesaid period, then the present petition may be dismissed.

Notice of motion.

On advance notice, Mr.Tarun Aggarwal, Sr.DAG, Punjab,

appears and accepts notice on behalf of the respondent-State.

Adjourned to 27.09.2022.

In the meantime, in the event of arrest, the petitioner is ordered to 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 a demand draft of an amount of Rs.3 lacs in the name of the complainant Balraj Singh and hand over the same to the Investigating Officer within a period of two weeks from today and the Investigating Officer is directed to hand over the same to the complainant, after taking a receipt from the complainant.

It is made clear that in case the demand draft of the said amount is not handed over to the Investigating Officer within a period two weeks from today, then the interim order granted is liable to be vacated.

The payment of Rs.3 lacs to the complainant would be not construed as an admission of guilt by the petitioner.

(VIKAS BAHL)
JUDGE

September 08, 2022.”

Learned counsel for the petitioner has submitted that in pursuance of the said order, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Sukhwinder Singh, has submitted that the petitioner has joined investigation and is not required for further investigation. He has also verified that an amount of Rs.3 lacs, as ordered by this Court, has already been paid to the complainant.

Keeping in view the above said facts and circumstances moreso, the facts which have been noticed in the order dated 08.09.2022, and also the fact that the petitioner has joined the investigation and is not required for further investigation and also the petitioner has given a demand

draft of Rs.3 lacs to the complainant, the present petition is allowed and the

interim order dated 08.09.2022 is made absolute.

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 petition.

(VIKAS BAHL)
JUDGE

September 27, 2022
Davinder Kumar

Whether speaking / reasoned	Yes/No
Whether reportable	Yes/No