

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

208

**CRM-M-40128-2020 (O&M)
Decided on : 07.02.2022**

Gurdeep Singh

... Petitioner(s)

Versus

State of Punjab and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Dheeraj Mahajan, Advocate
for the petitioner(s).

Mr. Hittan Nehra, Addl. AG, Punjab
assisted by ASI Balbir Singh.

Mr. Dinesh Mahajan, Advocate
for respondent No.2 - complainant.

MANJARI NEHRU KAUL, J. (Oral)

CRM-40029-2021 has been filed by respondent No.2 (complainant) for vacation of interim order dated 03.12.2020, vide which the petitioner was granted the concession of interim bail and directed to join investigation.

Notice of this application was issued and in response thereto, reply on behalf of the non-applicant/petitioner was filed through email. Photocopy of the same is taken on record, subject to all just exceptions.

Learned State counsel, at the outset, has apprised the Court that the prosecution evidence is underway.

Learned State counsel as well as learned counsel for the non-applicant/petitioner, submit that when the petitioner had appeared before the trial Court after filing of the challan, he was released on bail on his

furnishing requisite bail bonds.

Learned State counsel, therefore, submits that the present petition for anticipatory bail, has been rendered infructuous and there is no question of vacation of the interim bail, which was granted by this Court.

However, learned counsel for the applicant-respondent No.2, has submitted that the petitioner has not deposited the litigation expenses, which had been directed by this Court vide order dated 08th January, 2021, in the sum of Rs. 22,000/-.

Learned counsel for the non-applicant/petitioner submits that the petitioner, who is present in his chamber, has brought along with a demand draft in the sum of Rs. 22,000/-, which he has handed-over to the counsel for the applicant-respondent No.2. Photocopy of the said demand draft placed on record by the learned counsel, is taken on record, subject to all just exceptions.

In the circumstances, the present application stands dismissed. However, on request of learned counsel for the parties, the main case (CRM-M-40128-2020) is taken up for hearing today itself.

In the wake of facts and circumstances, as enumerated hereinabove, the instant petition is allowed the interim order dated 03rd December, 2020, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

(MANJARI NEHRU KAUL)
JUDGE

February 07, 2022

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No