

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-41476-2020 (O&M)
Date of Decision:- 20.7.2022

Jogi Raj

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. J.S.Dadwal, Advocate, for the petitioner.

Mr. Tanvir Joshi, AAG, Punjab.

Mr. Amandeep Chhabra, Advocate, for the complainant.

GURVINDER SINGH GILL, J. (Oral)

When the matter was taken up on 9.2.2022, the following order was passed:

“During the course of arguments, learned counsel for the petitioner has submitted that without prejudice to his rights to defend the case, his client in order to prove his bonafides is willing to deposit Rs.7 lakhs before the trial Court.

The allegations in nutshell are to the effect that the petitioner had defrauded the complainant of an amount of Rs.14 lakhs on the pretext of sending his family abroad.

In view of the aforestated offer, the matter is adjourned to 20.07.2022.

The petitioner, as per his offer, shall deposit an amount of Rs.7 lakhs before the trial Court/Illaqa Magistrate within 4

weeks from today. Upon such deposit in the trial Court/Illaq Magistrate, the same shall be invested in some FDR in some Nationalized Bank with a clear direction to the bank authorities concerned not to entertain any request for encashment of the same except under orders of the Court.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

At the very outset, learned counsel for the complainant has pointed out that the petitioner has not complied with order dated 9.2.2022 as regards the deposit of amount of Rs.7 lakhs, which he had himself offered.

Learned counsel for the petitioner however, submitted that he may be permitted to withdraw the instant petition.

In view of the aforesaid request, the present petition is dismissed as withdrawn.

It is however, directed that as and when any subsequent petition for grant of bail is filed, the aforesaid order be annexed with said petition.

20.7.2022
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No