

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-47648-2022
Date of decision : 16.11.2022

Harpreet Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Ranjit Singh Sidhu, Advocate
for the petitioner.

Mr.Iqbal S.Mann, 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.101 dated 16.07.2022 registered under Section 420 IPC at Police Station City-1, Sangrur, District Sangrur.

On 17.10.2022, this Court was pleased to pass the following order:-

“Learned counsel for the petitioner inter alia contends that in the present case, there is no receipt or any document to show that the complainant had paid any money to the present petitioner. It is further submitted that the petitioner is a practicing lawyer at the District Court in Sangrur and has never indulged in any criminal act and there is no other FIR registered against the present petitioner except for the present one. It is contended that the petitioner, in order to show his bona fide, is ready to give an amount of Rs.30,000/- to the complainant within a period of four weeks without admitting his liability.

Notice of motion for 16.11.2022.

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.30,000/- in the name of complainant and is also directed to give the same to the Investigating Officer within a period of four weeks from today, who shall further handover the same to the complainant after getting receipt from him.

It is made clear that in case, the demand draft of Rs.30,000/- is not given to the Investigating Officer prepared in the name of the complainant within a period of four 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.30,000/- would not be construed as an admission of guilt by the petitioner.

17.10.2022 ”

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 Jasbir Singh, has submitted that the petitioner has joined investigation and is not required for further investigation. It is submitted that the petitioner has handed over a demand draft of Rs.30,000/- in the name of the complainant to the Investigating Officer and the Investigating Officer has handed over the same to the complainant.

Keeping in view the above said facts and circumstances moreso, the facts which have been noticed in the order dated 17.10.2022, and also the fact that the petitioner has joined the investigation and is not required for further investigation and the petitioner has handed over a demand draft of Rs.30,000/- in the name of the complainant to the Investigating Officer, the present petition is allowed and the interim order

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

November 16, 2022
Davinder Kumar

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