

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 51398 of 2021
Date of Decision: 21.4.2022**

Pritpal Dass

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Mandeep Kumar Dhot, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

SURESHWAR THAKUR, J. (ORAL)

1. The instant petition has been filed under Section 438 Cr.P.C., seeking the indulgence of anticipatory bail, to the petitioner.
2. In FIR bearing No. 540 of 23.10.2021, registered at Police Station Zirakpur, District S.A.S Nagar, Mohali, offences constituted under Sections 379-B, 364-A, 365, 506 IPC, are embodied.
3. The learned State counsel opposes the grant of bail to the bail petitioner, on the ground, that the petitioner has not ensured the making of recoveries, at his instance, to the investigating officer concerned, of the Aadhar Card of the complainant, and, of a sum of Rs. 2500/-.
4. The afore made contest by the learned State counsel, is completely mitigated, as the learned counsel for the petitioner states, that as a pre-condition for the present bail petitioner, being admitted to anticipatory bail, he is ready, and, willing to deposit a sum of Rs. 2500/- in the establishment of the learned trial Court concerned.

5. Be that as it may, even the factum of the present petitioner not ensuring the recovery, at his instance, of the Aadhar Card of the complainant, becomes completely redressed, inasmuch as the Aadhar Card of the complainant can be collected from the office concerned.

6. Therefore, this Court does not deem it fit, and, appropriate to order for the custodial interrogation of the petitioner, as it would unnecessarily fetter, and, curtail his personal liberty.

7. Consequently, the instant petition is allowed, and, the order made by this Court on 09.12.2021, is made absolute on the same terms and conditions, and, further subject to the petitioner forthwith depositing a sum of Rs. 2500/- in the establishment of the learned trial Court concerned, however, its disbursement would be regulated by the outcome of the trial of the FIR concerned.

8. The afore observations are meant only for the disposal of the present petition, and, shall not affect the merits of the trial arising from the FIR (supra).

(SURESHWAR THAKUR)
JUDGE

April 21, 2022
Gurpreet

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