

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

215

CRM-M-55218-2022  
Decided on : 19.12.2022

Ramanpreet Singh and another

. . . Petitioners

Versus

State of Punjab

. . . Respondent

**CORAM: HON'BLE MR. JUSTICE VIKAS BAHL**

PRESENT: Mr. Amit Puri, Advocate  
for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

Ms. Suman Kumari, Advocate for  
Mr. Nikhil Batta, Advocate  
for the complainant.

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**VIKAS BAHL, J. (Oral)**

The present petition has been filed under Section 438 Cr.P.C.  
for grant of anticipatory bail to the petitioners in case FIR No. 232 dated  
02.11.2022 under Sections 406, 420 and 120-B IPC registered at Police  
Station Kotwali, District Patiala.

On 29.11.2022, this Court was pleased to pass the following  
order:

*“Inter alia contends that in the present case, FIR has  
been registered after much delay and the cheques in question  
were prior to the date on which the petitioners had allegedly  
met the complainant. It is submitted that in order to show their  
bonafide and without admitting their liability, the petitioners  
are ready to pay an amount of Rs.50,000/- each (totaling Rs.1  
lac) to the complainant within a period of two weeks from  
today.*

*Notice of motion for 19.12.2022.*

*In the meantime, in the event of arrest, the petitioners*

*are ordered to be released on interim bail subject to their furnishing personal bonds and surety to the satisfaction of Arresting / Investigating Officer. However, the petitioners 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 petitioners are directed to prepare a demand draft jointly of an amount of Rs.1 lac in the name of the complainant 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 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 of two weeks from today, then the interim order granted is liable to be vacated. The payment of Rs.1 lac to the complainant would be not construed as an admission of guilt by the petitioners.”*

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid order dated 29.11.2022, the petitioners have joined the investigation and have jointly given the demand draft for an amount of Rs.1,00,000/- in the name of the complainant and have handed over the same to the Investigating Officer.

Learned counsel for the State has reiterated the said facts and further submitted that the petitioners have joined the investigation and are not required for any further custodial interrogation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 29.11.2022 and also the fact that the petitioners have joined the

investigation and are not required for further custodial interrogation, the present petition is allowed and the interim order dated 29.11.2022 is ordered to be made absolute.

However, 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 application.

19.12.2022  
*Mehak*

(VIKAS BAHL)  
JUDGE

|                            |        |
|----------------------------|--------|
| Whether reasoned/speaking? | Yes/No |
| Whether reportable?        | Yes/No |