

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

209

CRM-M-16276-2023

Date of decision: 24.05.2023

Vipan Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Ms. Suman Kumari, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No. 26 dated 20.06.2022 under Sections 406, 417, 420, 120-B IPC registered at Police Station Nangal Bhoor, District Pathankot (Annexure P1).

2. Vide order dated 29.03.2023, the petitioner had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“Inter alia contends that in the present case, the FIR has been registered after a delay of 3 years inasmuch as the incident in question pertains to the year 2018 and the FIR was registered on the complaint which was filed on 04.03.2021. It is further submitted that even as per the FIR, the petitioner is not the main accused and the alleged amount of Rs.8.5 lacs is stated to have been paid in cash. It is stated that in order to show his bonafide and without admitting his liability, the petitioner is ready to pay an amount of Rs.1 lac to the complainant within a period of 2 months from today.”

3. Learned counsel for the petitioner submits that in

compliance of order dated 29.03.2023, the petitioner has joined investigation and cooperated with the investigating agency. It has been further submitted that the petitioner has also handed over a demand draft in the sum of ₹ 1 lac in the name of the complainant in compliance of order dated 29.03.2023.

4. Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency, and having handed over a demand draft of ₹ 1 lac to the complainant. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 29.03.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

24.05.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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