

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-35039-2022 (O&M)

Date of decision : 23.2.2023

Baldev Singh @ Debi

... Petitioner

VERSUS

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Anantdeep Singh, Advocate, for
Mr. L.S.Lakhanpal, Advocate
for the petitioner.

Mr. C.L.Pawar, Addl. AG, Punjab.

Mr. Buta Singh Bairagi, Advocate,
for the complainant

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.80 dated 22.7.2022 registered under Sections 420 IPC at Police Station Mehna, District Moga.

The allegations in nutshell are that the petitioner took amount of ₹ 3,64,000/- from the complainant and some other persons on the pretext of getting enhanced compensation which was to be given to them by the Government regarding their acquired land but thereafter, he failed to do so and even misappropriated the said amount.

On the last date of hearing, detailed order was passed whereby the petitioner was granted interim bail and was directed to join investigation subject to deposit of ₹ 1,82,000/- in the trial Court. Today, counsel for the

petitioner submits that the petitioner has deposited the said amount vide e-

challan dated 3.9.2022 and has further joined the investigation with the police. Copy of the e-challan is furnished which is taken on record.

Present petition is contested by the counsel for the complainant who submits that in all, the petitioner committed fraud of ₹ 7,50,000/- with the residents of the village whose land was acquired by the Government and still remaining amount is to be recovered from the petitioner.

State counsel on instructions from ASI Jaswant Singh apprised the Court that indeed, the petitioner has joined the investigation with the police and also deposited the amount of ₹ 1,82,000/- with the Court concerned and is not required by the police for further investigation or custodial interrogation.

In light of above, as the petitioner is not required for any further investigation and he has already deposited part of the disputed amount in the Court concerned, no purpose is going to be served by subjecting the petitioner to custodial interrogation at this point of time.

In view of the above, without commenting on the merits of the case, the present petition is allowed and order of interim bail dated 29.8.2022 is hereby made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C. The aforesaid deposit of ₹ 1,82,000/- will be subject to final decision by the trial Court.

(KARAMJIT SINGH)
JUDGE

February 23, 2023
Paritosh Kumar

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No