

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-41973-2022 (O&M)
Date of Decision:- 06.1.2023

Amrit Lal Modi

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Raminder Singh Dhaliwal, Advocate, for the petitioner.

Ms. Swati Batra, DAG, Punjab,
assisted by ASI Ajay Pal Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No.07, dated 30.5.2022, Police Station Vigilance Bureau Range, Jalandhar, under Section 7 of the Prevention of Corruption Act 1988 and Section 420 IPC.
2. At the time of issuance of interim bail the following order was passed on 12.12.2022:

“This is a petition seeking anticipatory bail in case of FIR No. 7 dated 30.5.2022, under Section 7 of the Prevention of Corruption Act, 1988 and Section 420 IPC registered at Police Station Vigilance Bureau Range, Jalandhar.

As per the case set up, the complainant-Gurmeet Kaur alleged that through Mukesh Kumar she had given Rs.75,000/- in three installments to the petitioner-Amrit Lal Modi for adjustment of electricity bill but the needful was not done. The petitioner had given cheque of Rs.50,000/- but on presentation the same was dishonoured.

Learned counsel for petitioner submits that it was a case of financial transaction which had been given colour of criminal proceedings. In order to show the bonafide, the petitioner has deposited Rs. 75,000/- with the Illaqa Magistrate subject to outcome of the trial.

Learned State counsel on instructions from ASI Ajay Pal opposes the prayer.

Having conspectus of facts, considering that in order to show his bonafide, the petitioner has deposited the amount in dispute, no recovery is to be made, the petitioner has no criminal antecedents, petitioner is granted interim bail subject to his joining investigation within a week. In the event of arrest, he shall be released on bail subject to his furnishing adequate bail bonds to the satisfaction of the Investigating Officer. He is directed to join the investigation as and when called for. He shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

The amount deposited of Rs.75,000/- with the Illaqa Magistrate shall be kept in an FDR in a nationalized bank subject to outcome of trial.

List on 6th January, 2023. ”

3. Learned State counsel has submitted that the petitioner has joined investigation and is not required for any custodial interrogation. It has also been informed that the petitioner is not wanted in any other case.

4. In view of the aforestated position wherein the petitioner has joined investigation and he is not stated to be required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 12.12.2022 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

06.01.2023

Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No