

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-43616-2022
DECIDED ON: 09.01.2023

GURPREET SINGH CHAHAL

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: None for the petitioner.

Mr. Rajiv Verma, DAG, Punjab.

Mr. J.S. Dhaliwal, Advocate
for the complainant.

SANDEEP MOUDGIL, J (ORAL)

This is a petition seeking anticipatory bail in FIR No.113, dated 02.07.2022, under Section 420 IPC, registered at Police Station City 1, Mansa, District Mansa.

After hearing the counsel for the petitioner, this Court passed the order dated 13.12.2022, which reads as under:-

“Learned counsel for the petitioner states that since the petitioner was suffering from chicken pox, therefore, he could not comply with the order dated 28.09.2022 wherein he gave an undertaking to deposit an amount of Rs.5 lakhs with the Illaqa Magistrate/CJM, concerned, subject to the outcome of the trial and on that undertaking, he was granted interim protection with a direction to join the investigation.

Learned State counsel and learned counsel for the complainant submit that the petitioner has neither joined

the investigation nor deposited the amount of Rs.5 lakhs, as undertaken by him, on the pretext that he suffered chicken pox. This Court is sanguine of the fact that the impugned order is dated 28.09.2022 and by now almost 3 months have gone by and no medical evidence has come forth in support of the aforesaid plea of ailment.

Be that as it may, a disease like chicken pox cannot last more than 3 months, in any case, which shows that a deliberate attempt has been made by the petitioner to circumvent the Court order under the garb of interim protection granted by this Court.

Keeping in view the totality of the facts and circumstances, however, to meet the ends of justice, the petitioner shall be at liberty to deposit Rs.5 lakhs with the Illaqa Magistrate/CJM, subject to the final outcome of the trial, before the next date of hearing fixed before this Court. Rest of the order, with regard to interim protection granted to the petitioner, is hereby vacated. The petitioner may raise the plea for interim protection on the next date, in case, he meets with the other undertaking with regard to deposit of Rs.5 lakhs.

List on 09.01.2023”

Today, the counsel for the complainant submits that the amount of Rs.5,00,000/- has been deposited by the petitioner and the petitioner stands arrested on 20.12.2022, as the interim protection granted to the petitioner stands vacated vide order dated 13.12.2022.

In the light of the above, the present petition has been rendered infructuous and is disposed of, as such.

(SANDEEP MOUDGIL)
JUDGE

09.01.2023

Poonam Negi

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*