

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

208

CRM-M-42439-2023

Date of decision: 29.09.2023

AMIT @ AMIT SAINI

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

**Present : Mr. Robin Singh Hooda, Advocate
for the petitioner.**

Mr. P.P.Chahar, DAG, Haryana.

SURESHWAR THAKUR, J. (ORAL)

1. The present petitioner is named as an accused in FIR bearing No. 101 of 01.04.2021, registered at Police Station Arya Nagar, Rohtak, District Rohtak, and thereins became embodied offences constituted under Sections 406, 420 IPC, later on added Section 201 IPC and Section 3 of the Haryana Protection of Interest Depositors in Financial Establishment Act.

2. At this stage, without going into the merits of the case, since the learned counsel for the petitioner, on instructions imparted to him, by the petitioner, submits that the present petitioner is ready and willing to deposit a sum of Rs. 5 Lakhs out of the allegedly misappropriated sums of Rs.5,21,70,400/- in the establishment of the learned trial Magistrate concerned, thus for the said sum of money, on conclusion of the trial, as becomes entered into, by the learned trial Magistrate concerned, besides if a verdict of conviction becomes recorded thereons vis-a-vis the present

petitioner, thus becoming released as victim compensation to the victim complainant.

3. The above made prayer is not opposed by the learned State counsel.

4. In the wake of the above and also in the wake of the fact that the present petitioner is undergoing detention for almost two years in respect of the offences embodied in the petition FIR.

5. Therefore, this Court does not deem it fit and appropriate to further prolong the judicial detention of the bail-petitioner in respect of the offences embodied in the petition FIR.

6. Consequently, the instant petition is allowed, and, the bail-petitioner is ordered to be released from judicial custody, if not required, in any other case but subject to the hereinafter extracted conditions.

(i) The bail applicant-petitioner, shall furnish his personal and surety bonds in the sum of Rs. One lakh each, to the satisfaction of the the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(ii) He shall give an undertaking that he shall not tamper with prosecution evidence, and, shall not influence or intimidate the prosecution witnesses, besides shall also appear before the trial Court concerned, as and when directed to make his personal appearance, unless validly exempted.

(iii) He shall surrender his passport before the jurisdictional SHO concerned.

(iv) As submitted by the learned counsel for the petitioner, he shall make deposit of a sum of Rs. Five Lakhs in the establishment of the learned trial Magistrate concerned, so that on conclusion of the trial as

becomes entered into by the learned Judicial Magistrate concerned in respect of the petition FIR, and if, upon a verdict of conviction being made upon him, thereupon the said amount being released, in accordance with law, to the victim thus as victim compensation.

29.09.2023
kavneet singh

(SURESHWAR THAKUR)
JUDGE

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