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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-47645-2022 (O&M)
Date of Decision : 21.07.2023

Lal SinghPetitioner

VERSUS

State of Punjab and AnotherRespondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. A.S.Manaise, Advocate for the petitioner.

Mr. Adhiraj Singh, AAG Punjab.

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ALKA SARIN, J. (Oral)

1. The present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.88 dated 22.09.2022 registered under Sections 354, 354-D, 384, 506, 341 & 201 of the Indian Penal Code, 1860 at Police Station Verka, Police Commissionerate Amritsar, District Amritsar.

2. On 17.10.2022 the following order was passed :

“Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated for the reason that the petitioner's son was engaged to the complainant's daughter which unfortunately broke;

the petitioner does not have any other criminal antecedents; there is no allegation of any molestation etc. against the petitioner; so far as the allegation that the petitioner sold the engagement ring is concerned, the same is denied but in any case to show his bonafide and subject to the outcome of the trial, the petitioner is willing to pay to the complainant an amount of Rs.17,000/- which is the alleged worth of the ring in question; the main accused, who is the petitioner's son, has been granted regular bail by the Trial Court and that the petitioner is also ready and willing to join and cooperate with the investigation.

Subject to the petitioner depositing Rs.17,000/- before the concerned Illaqa Magistrate/Trial Court, let notice be issued to the respondents for 15.02.2023.

Mr. Navneet Singh, Sr.DAG, Punjab, accepts notice on behalf of respondent No.1 and prays for time to argue the matter.

Respondent No.2 be served through ordinary process.

In the meanwhile, subject to the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided

under Section 438 (2) Cr.P.C, in the event of his arrest in FIR No.88 dated 22.09.2022 registered under Sections 354, 354-D, 384, 506, 341 and 201 IPC at Police Station Verka, Police Commissionerate Amritsar, District Amritsar, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.”

3. Since the amount was not deposited, the petitioner was granted one opportunity to deposit the same vide order dated 12.07.2023.

4. Today learned counsel for the petitioner states that an amount of Rs.17,000/- has since been deposited. Learned counsel would further contend that the petitioner has since joined investigation and has fully cooperated.

5. Learned counsel for the State, on instructions from ASI Gurnam Singh, states that the petitioner has since joined investigation and also deposited the amount of Rs.17,000/- as directed vide order dated 17.10.2022. Learned counsel further states that the petitioner is fully co-operating and that he is no longer required for further custodial interrogation as of now.

6. In view of the above, the order dated 17.10.2022 is made absolute. The petitioner shall, however, join investigation as and when called for. The petitioner shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.

7. Disposed off accordingly. Pending applications, if any, also stand disposed off.

July 21, 2023
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(ALKA SARIN)
JUDGE

NOTE : Whether speaking/non-speaking : Speaking
Whether reportable : YES/NO