

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 210 (2)

CRM-M-54643-2022

Date of decision : 17.01.2023

Pritam Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: None for the petitioner.

Mr.Arun Luthra, DAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.0071 dated 22.10.2022 registered under Sections 379, 34 IPC (Section 411 IPC added later on) at Police Station Ghagga, District Patiala.

On 24.11.2022 this Court had passed the following order: -

“*Inter alia* contends that in the present case, the FIR has been registered on the basis of suspicion and the recovery of the transformer has already been made. It is further submitted in order to show his bonafide and without admitting his liability, the petitioner is ready to pay an amount of Rs.15,000/- to the complainant within a period of two weeks from today. Notice of motion for 17.01.2023.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

The petitioner is directed to prepare a demand draft of Rs.15,000/- in the name of complainant and is also directed to give the same to the Investigating Officer within a period of two weeks from today, who shall further hand over the same to the said complainant. It is made clear that in case, the demand draft of Rs.15,000/- is not given to the Investigating Officer prepared in the name of the said complainant within a period of two weeks from today, then the present interim relief granted in favour of the petitioner would be liable to be vacated.

The payment of the abovesaid amount of Rs.15,000/- would not be construed as an admission of guilt by the petitioner.”

Learned State counsel submits that in pursuance to the afore quoted order the petitioner has joined and cooperated with the investigation, has deposited the required demand draft amounting to Rs.15,000/- and that the State no longer requires the petitioner for investigation purposes.

In the light of the submissions made on behalf of the petitioner as have been recorded in the afore quoted order as also the statement made on behalf of the State, the order of this Court dated 24.11.2022, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

17.01.2023

shamsher

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No

[DEEPAK SIBAL]

JUDGE