

**209 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-55763-2022
Date of Decision: 16.01.2023**

SUBEG SINGH

... PETITIONER

V/S

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Ms. Kamaldeep Kaur, Advocate for
Mr. G.S.Kaura, Advocate for the petitioner.

Ms. Ruchika Sabherwal, DAG Punjab.

* * * *

VIVEK PURI, J. (ORAL)

Petitioner is seeking anticipatory bail in case bearing FIR No. 140 dated 13.10.2022 under Sections 420/120-B IPC, registered at Police Station Dhariwal, District Gurdaspur.

On 15.12.2022, the Coordinate Bench has passed the following order:

“*Inter alia* contends that in the present case the wife of the petitioner had developed an illicit relationship with Paramjit Singh (complainant) and thereafter, said Paramjit Singh allegedly transferred the amount into the account of the wife of the petitioner. It is submitted that as per the allegations in the FIR, some amount was also transferred into the account of the petitioner and in order to show his bonafide and without admitting his liability, the petitioner is ready to pay Rs.3 lacs to the complainant within a period of three weeks.

Notice of motion for 16.01.2023

In the meantime, in the event of arrest, the petitioner is ordered to 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 an amount of Rs.3 lacs in the name of the complainant and hand over the same to the Investigating Officer within a period of three weeks from today and the Investigating Officer is directed to hand over the same to the complainant after taking receipt from the complainant.

It is made clear that in case the demand draft of the said amount is not handed over to the Investigating Officer within a period of three weeks from today, then the interim order granted is liable to be vacated.

The payment of Rs.3 lacs to the complainant would not be construed as an admission of guilt by the petitioner.”

Learned counsel for the petitioner contends that in pursuance of the interim directions, the petitioner has joined the investigation and also handed over a demand draft of Rs. 3 Lakhs in the name of the complainant to the Investigating Officer and the same has further passed on to the complainant.

Learned State counsel, on instructions from ASI Ranjit Singh, has not disputed the aforesaid factual aspects and further submitted that the custodial interrogation of the petitioner is not required.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 15.12.2022 is made absolute.

16.01.2023

Janki

(VIVEK PURI)
JUDGE

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