

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

**CRM-M-57852-2023
Date of decision: 24.11.2023**

BHUVAN NANDA ALIAS TIPU NANDAPETITIONER

VERSUS

STATE OF PUNJABRESPONDENT

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. G.B.S. Dhillon, Advocate
for the petitioner.

Mr. Mohit Kapoor, Addl. A.G., Punjab.

Mr. Akhilesh Vya, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. Prayer in this petition for grant of anticipatory bail to the petitioner in case FIR No.106 dated 07.09.2023 under Section 420 IPC, registered at Police Station D-Division, Police Commissionerate Amritsar, District Amritsar.

2. Vide order dated 17.11.2023 the petitioner had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“12. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above, in the following terms:

(a). Petitioner to furnish personal bond of Rs. Ten thousand (INR 10,000/-); AND

(b) To give one surety of Rs. Twenty-five thousand (INR 25,000/-), to the satisfaction of the concerned Investigator/SHO OR the concerned Court, before whom the bonds are required to be furnished. When the bonds are to be furnished before a Judicial Magistrate, then in case of the non-availability of the concerned Judicial Magistrate, to any other nearest Ilaqa Magistrate/duty Magistrate. Before

accepting the surety, the concerned officer/court must satisfy that if the accused fails to appear in court, then such surety can produce the accused before the court.
OR

- (b). Petitioner to hand over to the concerned investigator a fixed deposit for Rs. Ten thousand only (INR 10,000/-), with the clause of automatic renewal of the principal and the interest reverting to the linked account, made in favor of the ‘Chief Judicial Magistrate’ of the concerned district, or blocking the aforesaid amount in favour of the concerned ‘Chief Judicial Magistrate’. Said fixed deposit or blocking funds can be from any of the banks where the stake of the State is more than 50% or from any of the well-established and stable private sector banks. In case the bankers are not willing to make a Fixed Deposit in such eventuality it shall be permissible for the petitioner to prepare an account payee demand draft favouring concerned Chief Judicial Magistrate for a similar amount. \
- (c). Such court shall have a lien over the funds until the case's closure or discharged by substitution, or up to the expiry of the period mentioned under S. 437-A CrPC, 1973, and at that stage, subject to the proceedings under S. 446 CrPC, the en%re amount of fixed deposit, less taxes if any, shall be endorsed/returned to the depositor.
- (d). The petitioner is to also execute a bond for attendance in the concerned court(s) as and when asked to do so. The presentation of the personal bond shall be deemed acceptance of the declarations made in the bail petition and all other stipulations, terms and conditions of section 438(2) of the Code of Criminal Procedure, 1973, and of this bail order.

(e). While furnishing personal bond, the petitioners/applicants shall mention the following personal identification details:

1.	AADHAR number [In case of the residents of India]	
2.	Passport number of an Indian citizen, (If available), when the court attesting the bonds thinks appropriate or considers the accused as a flight risk.	
3.	Mobile number (s) (If available)	
4.	E-Mail id (If available)	

3. Learned counsel submits that in compliance of order dated 17.11.2023, the petitioner has joined investigation and co-operated with the investigating agency.
4. Learned State counsel, on instructions, has not disputed the submissions made by the counsel opposite and has on further instructions submitted that the petitioner is not required for his custodial interrogation, more so, since the matter stands amicably settled between

the parties.

5. In view of the above, the petition is allowed and interim order dated 17.11.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

24.11.2023
manoj

(MANJARI NEHRU KAUL)
JUDGE

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