

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Sr. No.: 121

Criminal Miscellaneous No.M-2291 of 2023

Date of Decision: January 30, 2023

Gurpreet Singh

..... PETITIONER(S)

VERSUS

State of Punjab

..... RESPONDENT(S)

...

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

...

PRESENT: - Mr. Pardeep Singh Mirpur, Advocate, for the petitioner.

. . .

Tribhuvan Dahiya, J (Oral)

This is a petition under Section 482 Cr.P.C. seeking clarification of the order dated 05.10.2020 (Annexure P-2) passed by this Court, granting pre-arrest bail to the petitioner.

2. As per the allegations in the FIR, the complainant's parents had spent an amount of ₹ 15 lacs in the marriage. While arguing the pre-arrest bail petition, learned counsel for the petitioner made a statement that the petitioner was ready to deposit an amount of ₹ 10 lacs in two instalments with the Illaqa Magistrate, to be kept in FDR, without prejudice to his right of defence.

3. During trial the petitioner has sought release of the said amount by filing an application (Annexure P- 5), which was declined by the Magistrate. Revision against the same has also been dismissed by the Sessions Judge, Mansa, vide order dated 18.11.2022 (Annexure P-7).

4. Learned counsel for the petitioner contends that the trial is going on and no purpose would be served by keeping the said amount deposited in FDR, as directed by this Court vide order dated 05.10.2020.

5. A perusal of the order shows that the statement to deposit the said amount was made by the learned counsel for the petitioner in the light of allegations in the FIR that an amount of ₹ 15 lacs had been spent by the complainant's parents. Trial of the case is yet to conclude, and release of the amount of FDR would depend upon the outcome of trial, as is apparent from the order itself. In view thereof, no clarification is required so far as the order dated 05.10.2020 is concerned.

6. Dismissed.

(Tribhuvan Dahiya)
Judge

January 30, 2023

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Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No