



CRM-M-18296-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-18296-2024

Date of decision : July 11, 2024

Satish Kumar

....Petitioner

VERSUS

State of Punjab and another

....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Pankaj Bali, Advocate, for the petitioner
Mr. Pardeep Bajaj, DAG, Punjab

KULDEEP TIWARI, J. (ORAL)

1. On 16.4.2024, this Court had passed the hereinafter extracted order, upon the instant petition:-

“Through the instant petition filed under Section 438 Cr.P.C., prayer is made for grant of anticipatory bail to the petitioner in case FIR No.25 dated 6.3.2024, under Sections 406, 420 of IPC, registered at Police Station Division No.3, Jalandhar.

Though the allegations in the instant FIR, are that the petitioner has duped complainant-Azad Mohammad, for Rs.35 lacs, by selling the car on the basis of a duplicate RC.

Learned counsel for the petitioner submits that infact from the perusal of the FIR, it transpired

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that only Rs.20 lacs has been transferred in the account of the petitioner, which he is ready and willing to return. He further draw the attention of this Court to the account statement pertaining to his own account, to submit that infact total Rs.10 lacs, have been transferred through RTGS in the account of the complainant and he is ready and willing to make the payment of Rs.10lacs in case some time is given to him. He further submits that he will deposit Rs.5 lacs with the Investigating Officer by way of demand draft to be drawn in favour of the complainant within 15 days from today.

At this stage, without going into the merits of the case, and considering that since the petitioner has come out with a proposal of returning the amount to the complainant, this Court deems it fit and appropriate to issue notice of motion.

Mr. Pardeep Bajaj, DAG, Punjab waives service on behalf of the respondent-State.

Notice to respondent No.2 be issued for 9.5.2024 on furnishing of requisite process fee.

Dasti as well.

In the meanwhile, the petitioner is directed to join the investigation and submit a demand draft of Rs.5 lacs to be drawn in favour of the complainant, before the IO concerned. In the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer.

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The petitioner shall, however, join the investigation as and when called for and shall also abide by the conditions specified under Section 438(2) of the Cr.P.C.”

2. Learned counsel for the petitioner, at the very outset, submits that the petitioner has joined the investigation, and he, as on date, deposited Rs 15 lacs, in favour of the complainant. However, he seeks seven days more time to make further payment of Rs 5 lacs, in compliance with the directions, issued on 23.5.2024.

3. Since the petitioner has made partial compliance to the order (*supra*), in the interest of justice, one more opportunity is granted to the petitioner to deposit Rs 5 lacs with the Investigating Officer concerned, within ten days from today, by way of demand draft, drawn in favour of the complainant.

4. Learned State counsel, on the other hand, on instructions imparted to him by ASI Parveen Kumar, submits that the petitioner has joined the investigation, and he is not required for any further custodial interrogation, in case he deposits Rs 5 lacs more.

3. In view of the above, the instant petition is disposed of with the directions to the petitioner to keep on joining the investigation as, and when called by the Investigating Officer concerned, and order dated 16.4.2024 is, hereby, made absolute subject to deposit of Rs 5 lacs with the Investigating Officer



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concerned within ten days and with the condition that the petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

4. In case the petitioner failed to comply with the directions issued by this Court, the anticipatory bail granted to the petitioner, would be considered as **dismissed**, without any further reference to this Court.

July 11, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned ?	Yes/No
Whether Reportable ?	Yes/No