

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

101

CRM-M-19850-2024
Decided on: 01.05.2024

Shubham Wadhwan ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Vinod Ghai, Sr. Advocate with
Mr. Vijay Pal, Advocate and
Mr. Raghav Agnihotri, Advocate for the petitioner.

Mr. Deepender Singh, Addl. AG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
16	02.05.2023	Vigilance Bureau, Flying Squad-1, Punjab at Mohali	409, 420, 465, 466, 468, 471, 120-B IPC and 13(1)(a) r/w 13(2) of PC Act 2018

1. The petitioner apprehending arrest in the FIR captioned above, has come up before this Court under Section 438 CrPC seeking anticipatory bail.
2. Vide order dated 23.04.2024, State was asked to file reply and this Court had granted interim bail to the petitioner and one of the reason of granting interim bail was that the petitioner had voluntarily agreed to return the compensation amount in the form of fixed deposit and undertakes to handover the fixed deposit to the trial Court before the next date, as mentioned in para 4 of the bail order.
3. Petitioner’s counsel has handed over undertaking by way of affidavit of the petitioner, the same is taken on record and in which it is mentioned that petitioner had appeared before the trial Court on 30.04.2024 and deposited the compensation amount i.e. Rs.67,33,994/- in form of fixed deposit. Counsel further submits that custodial interrogation and pre-trial incarceration would cause an irreversible injustice to the petitioner and family. He further submits that the petitioner had already joined the investigation.

4. Counsel for the State on instructions, does not dispute the above said contention but opposes the bail.
5. I have heard counsel for the parties and gone through the petition.
6. In the entirety of facts and circumstances of the case and the fact that petitioner had returned the compensation amount, petitioner makes out a case for anticipatory bail and it is neither a case of custodial investigation nor pre-trial incarceration.
7. Given above, petition is allowed and interim order dated 23.04.2024 is made absolute. Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

01.05.2024
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Whether speaking/reasoned:	Yes
Whether reportable:	No.