



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

CRM-M-27793-2024
Date of Decision : 24.09.2024

SOM NATH @ HARVINDER SINGH	Petitioner
VERSUS	
STATE OF PUNJAB	Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Rishu Mahajan, Advocate,
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

Mr. S.K.Adhikari, Advocate,
for the complainant.

KULDEEP TIWARI, J.(Oral)

1. Through the instant petition, filed under Section 438 of the Cr.P.C., prayer is made for grant of 'anticipatory bail' to the petitioner in case FIR no.74, dated 12.04.2024, under Sections 406, 420 and 34 of the IPC, registered at Police Station Navi Baradari, Jalandhar.
2. Mr. S.K.Adhikari, Advocate, has caused appearance on behalf of the complainant, through a validly executed power of attorney in his favour. The same is taken on record.
3. At the time of issuing notice of motion, learned counsel for the petitioner submitted that the petitioner is ready to deposit Rs.15.00 lakhs, in two installments, with the learned trial court concerned, subject to the outcome of the trial.
4. On the basis of the above statement suffered by learned counsel for the petitioner, this Court issued notice of motion and stayed

the arrest of the present petitioner and directed him to join investigation, subject to depositing Rs.7.50 lakhs within one month from the date of that order, and further, to deposit second installment of Rs.7.50 lakhs within four months.

5. This Court vide order dated 29.05.2024, passed the following order:-

“Through the instant petition, prayer has been made for pre-arrest bail, in case FIR No. 74 dated 12.04.2024, under Sections 406, 420, 34 IPC, registered at Police Station Navi Baradari, Jalandhar.

Learned counsel for the petitioner submits that perusal of the FIR, would reflect that the only allegation against the present petition is that, he, at the behest of the main accused, has acted as a guarantor, and money of Rs 30 lacs, is alleged to have been deposited with the petitioner. He further submits that in fact the entire amount, on the directions of the complainant, has been transferred by the petitioner to the main accused Baljit Kaur. He also submits that though he entered into a compromise, but under coercion, and in order to show his bonafide, he is ready to deposit Rs 15 lacs, in two instalments, with the learned trial court concerned, subject to the outcome of the trial.

Notice of motion for 24.9.2024.

The petitioner is directed to deposit Rs 7.50 lacs with the learned trial court/Illaq Magistrate concerned within one month from today. He is further directed to deposit second instalment of Rs 7.50 lacs, within four months from today,subject to the outcome of the trial.

In the meanwhile, 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. 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. ”

6. Learned State counsel, on instructions imparted to him by ASI Balwinder Singh, submits that the petitioner has neither deposited the said amount, with the learned trial court/*Illaq* Magistrate concerned, nor has joined the investigation.

7. On the other hand, learned counsel for the petitioner submits that he has no instructions, from the petitioner, rather he tried to contact the petitioner, but he did not respond to his phone calls.

8. In view of the above, since the petitioner has neither joined investigation nor deposited the agreed amount of Rs.15 lakhs with the learned trial court/*Illaqa* Magistrate concerned, as per the directions vide order (*supra*), no ground is made for grant of extraordinary relief of anticipatory bail. Therefore, the instant petition is hereby **dismissed**.

9. All pending application(s), if any, also stand **disposed** of accordingly.

September 24, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No