

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

221

CRM-M-58244 of 2023
Date of Decision: 18.01.2024

Vishal Kumar

...Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Ms. Isha Goyal, Advocate, for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

Mr. Rajiv Joshi, Advocate, for respondent No. 2-SBI.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the present petition under Section 438 of the Cr.P.C. with a prayer to grant pre-arrest bail to him in case FIR No.0014 dated 22.01.2020 registered under Sections 406, 420 and 120-B IPC at Police Station Dhakoli, District SAS Nagar.
2. At the very outset, without prejudice to his rights to raise his defence before the trial Court, the petitioner has offered to deposit a sum of Rs. 7.50 lacs with the trial Court in the present case, to show his bonafide only. Learned counsel further submits that the co-accused of the petitioner had taken some loan from the bank, however, due to certain financial constraints, the co-accused of the petitioner could not return the money to the bank. She further contends that even the co-accused had approached the bank with a

proposal to settle the dues under OTS Scheme, however, the bank did not take any steps to settle the account.

3. The prayer has been opposed by the learned State counsel assisted by the learned counsel for the complainant.

4. I have heard learned counsel for the parties and perused the record.

5. The petitioner is directed to deposit a sum of Rs. 7.50 lacs with the Area Magistrate/trial court within a period of three weeks from today and the trial court shall deposit the said amount in the fixed deposit in some nationalized bank, fetching maximum rate of interest, subject to the outcome of the trial. In case, the above said amount is not deposited by the petitioner, the present bail application shall be deemed to be dismissed.

6. Without commenting any further on the merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Section 438(2) of the Cr.P.C. It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 438(2) of the Cr.P.C.

18.01.2024

amit rana

(N.S.SHEKHAWAT)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No