



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-63152-2023
Date of decision: 30.08.2024

PARVEEN SINGH ...PETITIONER

Versus

STATE OF PUNJAB ...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Amandeep Singh Manaise, Advocate for the petitioner.
Mr. Adesh Pal Singh, AAG, Punjab.
Mr. I.P.S. Kohli, Advocate with
Mr. Sidharth Maini, Advocate for the complainant.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 Cr.P.C.,
petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
177	28.12.2022	406 and 420 of IPC	Navi Baradari, District Jalandhar.

2. Learned counsel for the petitioner submits that the petitioner has already paid the balance amount of Rs.1,30,000/- through RTGS to the complainant.
3. Learned counsel appearing on behalf of the complainant has accepted this aspect of having received Rs.1,30,000/- through RTGS and further submits that the amount of Rs.8 lakhs has been received by the complainant in terms of the order dated 09.04.2024, subject to final outcome of the trial, for the purpose of the present bail application, as per instructions received from the complainant. He submits that subject to the



final outcome of the trial, the complainant-respondent No.2 has no objection in case the interim bail granted to the petitioner is confirmed.

4. During the course of hearing on 15.12.2023, following order was passed:

“ 2. It is, inter alia, contended by learned counsel for the petitioner that the petitioner has not committed any offence infact he and the complainant had been jointly undertaking the property business and the petitioner had purchased the property vide sale deed dated 27.05.2011 (Annexure P-2) for an amount of Rs. 1.50 lacs and has sold the same vide sale deed dated 14.07.2014 for an amount of Rs. 2.99 lacs (Annexure P-4).

3. Learned counsel for the petitioner further contends that in fact some documents of the petitioner were lost regarding which he had informed the police vide DDR No. 39 dated 07.07.2014 (Annexure P-5) and one such document had been misused by the complainant to create sale agreement dated 31.05.2011 (Annexure P-3). He contends that the petitioner specifically denies having executed Annexure P-3 dated 31.05.2011 but even otherwise the complainant never availed the remedy available under the law and all of sudden after 08 years got registered the instant FIR just to harass the petitioner.

4. Notice of motion.

5. On the asking of the Court, Mr. Anmol Singh Sandhu, AAG, Punjab, present in Court, accepts notice on behalf of the Staterespondent and prays for time to file the status report/reply in the matter.

6. Adjourned to 10.01.2024.



7. Needful be done well before the date fixed with an advance copy to the counsel opposite.

8. In the meanwhile, the petitioner is hereby directed to join investigation within seven days from today and in the event of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.”

5. Subsequently, on 09.04.2023, following order was passed:

“Learned counsel for the petitioner submits that the petitioner is ready to deposit amount of Rs.5 lakh subject to the outcome of the main case apart from amount of Rs.3 lakh which has already been paid to the complainant. He contends that the petitioner could not arrange the amount and seeks adjournment after 30.04.2024 for making such payment.

2. Learned counsel for the complainant admits having received Rs. 3 lakh from the petitioner and has no objection in granting the petitioner time for payment of another amount of Rs. 5 lakh subject to final outcome in the trial, for the purpose of this bail application as per the instructions received by the complainant.

3. In these circumstances, case is adjourned to 07.05.2024.

4. Interim order to continue till the next date of hearing.”

6. From the above discussions, it transpires that after being granted concession of interim bail, there was settlement between the



petitioner and the complainant for payment of Rs.8 lakhs subject to final outcome of the trial and out of Rs.8 lakhs, Rs.3 lakhs was paid before the police as admitted by learned counsel for the complainant vide order dated 09.04.2024 and another Rs.2.5 lakhs was paid on 16.07.2024 followed by 1,20,000/- as per order dated 12.08.2024 and finally balance amount of Rs.1,30,000/- today i.e.30.08.2024. The receipt of payment is duly reflected in the statement given by learned counsel for the complainant.

7. In view of the statement, interim bail granted vide order dated 15.12.2023 is hereby confirmed, subject to conditions as envisaged under Section 482 (2) of BNSS, 2023. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

8. The petition stands allowed.

9. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

30.08.2024
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i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No