

**IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH**

Sr. No.: 249/2

CRM-M-59722-2024**Date of Decision:** *February 15, 2025*Sham Sunder

..... PETITIONER(S)

*VERSUS*State of Punjab

..... RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**PRESENT:** - Mr. Rahul Bhargav, Advocate, for the petitioner(s).

Mr. Mohit Kapoor, Sr. DAG, Punjab.

Mahabir Singh Sindhu, J

Present petition has been filed under Section 528 of BNSS, 2023, for modification of order (P-2) dated 20.11.2024 whereby learned Additional Sessions Judge, Kapurthala imposed the condition of furnishing bank guarantee or cash surety or FDR to the tune of ₹ 10 lakh alongwith personal bonds in FIR No.276 dated 22.10.2024, under Sections 406, 420, 120-B IPC, registered at Police Station, City Kapurthala.

2. It is contended that petitioner has been falsely implicated in the present FIR and the allegations levelled by *de facto* complainant Iranjot Singh are false and baseless. Further contends that while granting anticipatory bail to the petitioner, learned Additional Sessions Judge imposed stringent condition of furnishing bank surety or cash surety or FDR to the tune of ₹ 10 lakh alongwith personal bonds which is arbitrary and liable to be set aside/modified.

3. *Per contra*, learned State counsel opposes the prayer made and submits that an amount of ₹ 9,31,500 was allegedly paid to the petitioner and other co-accused through various online transactions and the condition imposed cannot be said to be unjust. However, he fairly concedes that he would have no objection if the condition is modified.

4. Heard learned counsel for the parties.

5. After going through the paper-book and in view of the candid stand taken by learned State counsel, the impugned order is modified to the extent of furnishing bank guarantee to the tune of ₹ 1 lakh. Rest of the contents of the order shall remain the same.
3. Let needful be done forthwith.
4. Disposed off accordingly.
- Pending application(s), if any, shall also stand disposed off.

(Mahabir Singh Sindhu)

Judge

February 15, 2025

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Whether Speaking/ Reasoned:

Whether Reportable:

Yes/ No

Yes/ No