

CRM-M-39298-2023 and connected matters

229 **IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**CRM-M-39298-2023
Date of Decision: 18.01.2024

Harminder Singh ...Petitioner

Versus

State of Punjab ...Respondent

CRM-M-36831-2023

Sukhraj Kaur ...Petitioner

Versus

State of Punjab ...Respondent

CRM-M-39341-2023

Gurminder Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARAPresent: Mr. Keshav Pratap Singh, Advocate and
Mr. S.S. Chahal, Advocate
for the petitioner(s).

Mr. Shiva Khurmi, A.A.G., Punjab.

ANOOP CHITKARA, J.

| FIR No. | Dated | Police Station | Sections |
|---------|------------|-------------------|--|
| 16 | 02.05.2023 | V.B. FS-1, Punjab | 409, 420, 465, 468, 471, 120-B IPC and 13 91) (a) r/w 13 (2) of PC Act, 1988 |

Seeking modification of order dated 24.07.2023 passed by Additional Sessions Judge, SAS Nagar vide which regular bail was granted to the petitioner in the FIR captioned above subject to onerous condition i.e. to deposit total compensation amount received by them for guava fruit bearing trees, the petitioner(s) had come up before this Court under Section 482 CrPC.

CRM-M-39298-2023 and connected matters

2. State counsel objected to the prayer on the ground that co-accused of the petitioner already refunded 100% of compensation, so, petitioner(s) are not entitled for modification. He further submits that the petitioner(s) himself agreed to deposit the same, therefore, they cannot resile from their own undertaking.

3. Counsel for the petitioner(s) has handed over affidavit of assets of the petitioner(s) in Court. Perusal of the same reflects that they have enough assets to deposit the amount of entire compensation. Affidavit returned to counsel in the Court today itself.

4. Given the strong opposition of the State, when this Court was not inclined to grant relief, counsel for the petitioner(s) submits that he will be contended and satisfied if one month more time is given to deposit the entire compensation amount.

5. The prayer is genuine for the reason that the assets are not liquid as of date.

6. Given above, the time to deposit entire compensation amount received by petitioner(s) is extended till 17.02.2024.

7. Petition stands disposed of with the abovesaid observations. Pending applications, if any, stand disposed of.

8. Photocopy of this order be placed on the files of connected cases.

(ANOOP CHITKARA)
JUDGE

18.01.2024
Jyoti Sharma

Whether speaking/reasoned: Yes
Whether reportable: No.