

**(2013) 02 SC CK 0078**

**In the Supreme Court Of India**

**Case No :** Criminal Appeal No. 283 of 2013 (Arising out of Special Leave Petition (Criminal) No. 4625 of 2009)

Raj Kumar Luthra and Another

APPELLANT

Vs

State of Punjab and Another

RESPONDENT

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**Date of Decision :** 08-02-2013

**Acts Referred:**

Criminal Procedure Code, 1973 (CrPC) — Section 482

**Citation :** (2013) 02 SC CK 0078

**Hon'ble Judges :** Ranjan Gogoi, J;H.L. Dattu, J

**Bench :** Division Bench

**Advocate :** A. Venayagam Balan , Rishi Malhotra

**Final Decision :** Dismissed

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**Judgement**

1. Leave granted.

2. This appeal is directed against an interim order passed by the High Court of Punjab and Haryana at Chandigarh in Criminal Misc. No. 10716-M of 2009 (O & M), dated 23rd April, 2009, whereby the High Court has issued notice and the Appellants were directed to appear before Chief Judicial Magistrate, Gurdaspur and deposit an amount of Rs. 15 lakhs.

3. This Court, vide order dated 24th July, 2009, while issuing notice, has passed the following order:

... In the meanwhile, subject to the Petitioners' depositing the amount of Rs. 15 lakhs within four weeks' from today, the operation of the impugned order shall remain stayed. However, the amount so deposited shall not be disbursed without the leave of this Court.

The Petitioners shall not be arrested till the next date.

4. In the facts and circumstances of the case and having heard the Learned Counsel for the parties to the lis, we are of the considered opinion that the order

dated 24th July, 2009 passed by this Court be made absolute and is made absolute. The appeal is disposed of accordingly.

Liberty is also reserved to the Appellants to request for disposal of the application filed by him u/s 482 of the Code of Criminal Procedure, 1973, pending before the High Court.

Ordered accordingly.