

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM-M-10907-2015
Date of decision:14.05.2015

Surender @ Vineet

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

1. To be referred to the Reporters or not ?
2. Whether the judgment should be reported in the Digest ?

Present: Mr.Pardeep Sharma, Advocate for
Mr.Gurnam Singh, Advocate for the petitioner.

RAMESHWAR SINGH MALIK, J. (Oral)

Petitioner seeks pre-arrest bail in FIR No.186 dated 12.3.2015 registered under Sections 420, 406 and 120-B of the Indian Penal Code at Police Station Camp Palwal, District Palwal.

While issuing notice of motion and granting interim protection to the petitioner, he was directed to deposit the entire outstanding amount with the complainant-bank namely Andhra Bank within a period of two weeks failing which interim protection granted to the petitioner would stand automatically vacated.

Learned counsel for the State submits that although outstanding amount due against the petitioner was Rs.4 lacs, yet he deposited only an amount of Rs.50,000/- which is clear from the bank statement of account dated 13.5.2015. He further submits that since the petitioner has failed to comply with the order passed by this Court and did not show his bonafide, he is not entitled for the concession of anticipatory bail.

Faced with the above, learned counsel for the petitioner has

tried to explain that Rs.4 lacs was not outstanding amount. He, however, fairly states that outstanding amount as per the stand taken by the petitioner was only about Rs.1.50 lacs. He prays for allowing the present petition.

Having heard the learned counsel for the parties at considerable length, after careful perusal of record of the case and giving thoughtful consideration to the rival contentions raised, this Court is of the considered opinion that petitioner is not entitled for concession of anticipatory bail. It is so said because learned counsel for the petitioner has himself admitted that outstanding liability of the petitioner was about Rs.1.50 lacs. Even that much amount has not been deposited by the petitioner. It prima facie shows that petitioner was trying to misuse the process of law. Once he has not deposited even undisputed amount which was outstanding against him, he has made himself disentitled for this discretionarily relief of anticipatory bail.

Without commenting anything further, lest it should prejudice the rights of either of the parties, no case for anticipatory bail is made out.

Dismissed.

14.05.2015
mks

(RAMESHWAR SINGH MALIK)
JUDGE