

**202 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-M-27769-2014(O&M)
Date of Decision :18.02.2015**

KANWALJIT KAUR AND ANR

.....PETITIONERS

VS

STATE OF HARYANA

..... RESPONDENT

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Pawan K.Sharma, Advocate
for the petitioners.

Mr.Raj Kumar Makkad, DAG, Haryana.

Mr.Vivek Goyal, Advocate
for the complainant.

- i. Whether Reporters of local papers may be allowed to see the judgment?
- ii. To be referred to the Reporters or not?
- iii. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

Reply has been filed on behalf of respondent No.1.

This is a petition for the grant of anticipatory bail to the petitioner in case bearing FIR No.237 dated 8.11.2013, under Sections 420/406 IPC, registered at Police Station Pinjore, District Panchkula.

It has been pointed out that the petitioner No.2 had earlier filed a petition along with her husband and in that no plea was ever taken that the amount of money was refunded to the petitioners and by taking this plea the petitioners have in fact sought to overreach this Court and on this score alone, they do not deserve the concession of anticipatory bail. Learned counsel for the petitioners has not been able to deny the fact that in the previous petition bearing CRM-M No. 40640 of 2013 or in the petition bearing CRM-M No.41286 of 2013(filed by the husband of petitioner No.2)

no such stand was taken that the money has been refunded. His explanation is that at that time the person who had the record of the compromise and the refund was not available and that is why this fact was not mentioned.

To my mind this explanation is not at all credit worthy. Even if this person was not available at that time a plea could have been taken and time could have been obtained to contact him. In these circumstances it is hard to resist the conclusion that the petitioners have come to this Court at different times with different stands. In such circumstances I do not deem it appropriate to grant the concession of anticipatory bail to such petitioners.

Petition is dismissed.

Since the main case has been decided, the Criminal Misc.Application, if any also stands disposed of.

(AJAY TEWARI)
JUDGE

February 18, 2015
sunita