

CRM no.M-3176 of 2015 (O&M) 1

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

CRM no.M-3176 of 2015 (O&M)

Date of Decision : 01.05.2015

Jeevan Kumar

....Applicant

Versus

State of Haryana and another

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

Present : None for the petitioner

Mr. P.S.Chauhan, Addl. AG, Haryana with
Mr. Himmat Singh, AAG, Haryana

MAHESH GROVER, J.

This is a petition under Section 438 Cr.P.C praying for grant of anticipatory bail in case FIR no. 638 dated 11.12.2014 registered under Section 406 IPC at Police Station Ratia, District Fatehabad.

The petitioner is accused of having caused monetary loss to the Corporation. On 23.2.2015 the petitioner had stated before this Court that he is willing to make good 459 metric tons of rice which was alleged to be short. On the next date of hearing i.e. 2.3.2015 liberty was granted to the petitioner to implead the complainant i.e the Assistant Food & Supplies Controller and then on 17.3.2015 this Court noticing the petitioner's contention of willingness to indemnify the complainant granted him interim protection but subject to the condition that he shall approach the respondents within two weeks. The Court also noticed that in case the petitioner failed to do so an adverse inference shall be derived against him.

It has been stated by the learned counsel for the respondent that the petitioner has not approached the complainant and neither he had made

any offer to indemnify the loss.

There is no representation on behalf of the petitioner. Consequently, noticing the previous orders and the fact that the petitioner was on notice that in case he did not stand by the commitment that he projected before this Court of indemnifying the loss of the Corporation and noticing this concession of interim bail was granted to him solely on this ground which has not been honoured by the petitioner, I am of the view that no further indulgence needs to be given to the petitioner. Hence, instant petition is hereby dismissed.

May 01, 2015
rekha

(Mahesh Grover)
Judge