

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

Crl.Misc.No.M-41975 of 2014
Date of Decision : 31.3.2015

Nishi @ Suryaveer

.....Petitioner

Vs.

State of Haryana and another

.....Respondents

...

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

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Present : Mr. Sandeep Malik, Advocate for Mr. Johan Kumar, Advocate for
the petitioners.
Mr. M.K. Sangwan, DAG, Haryana.
Mr. Lovekirat S Chahal, Advocate for respondent no.2.

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

RAMESHWAR SINGH MALIK, J

Petitioner seeks pre-arrest bail in FIR No.178 dated 3.4.2014, under Sections 420, 406, 467, 468, 471, 120-B IPC, registered at Police Station Sadar Palwal.

Notice of motion was issued and interim protection was granted to the petitioner vide order dated 11.12.2014 passed by this court. Learned counsel for the petitioner submits that parties have arrived at a compromise Annexure P-1. He further submits that the petitioner joined the investigation in compliance of the order passed by this court. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from ASI, Tara Chand, Police Station Sadar, Palwal, submits that the petitioner has not

joined the investigation in compliance of the order dated 11.12.2014 passed by this court. He further submits that the petitioner has been declared proclaimed offender. He seeks dismissal of the petition.

Similarly, learned counsel for the complainant submits that the complainant was induced by the petitioner to enter into a compromise. Referring to Annexure P-1, he submits that it was not the intention of the parties to enter into a compromise on these terms. Further, petitioner has not honoured even the terms of compromise Annexure P-1. He further submits that the petitioner is misusing the process of law. Neither he has made the payment to the complainant nor he is joining the investigation and on the other hand, he has been declared proclaimed offender. He prays for dismissal of the petition.

Having heard learned counsel for the parties, after careful perusal of the record of the case and giving thoughtful consideration to the rival contentions raised, this court is of the considered opinion that since the petitioner has not joined the investigation and he has been declared proclaimed offender, he is not entitled for the concession of anticipatory bail. In fact, the petitioner has not complied with the order dated 11.12.2014 passed by this court.

In the totality of facts and circumstances of the case referred to herein above, present petition stands dismissed.

31.3.2015
GS

(RAMESHWAR SINGH MALIK)
JUDGE