

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-7027 of 2015 (O&M)
Date of Decision: 08.9.2015.

Gurdeep Singh Kooner

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Rajesh Garg, Senior Advocate with
Mr. Virender Soni, Advocate
for the petitioner.

Mr. R.P.S.Sidhu, AAG, Punjab.

Mr. Manvinder Dalal, Advocate
for respondent No. 2.

SABINA, J.

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in FIR No. 202 dated 16.12.2014 under Section 420, 120-B of the Indian Penal Code, 1860, registered at Police Station Model Town, Ludhiana City.

Prosecution story, in brief, is that the petitioner had taken money from the complainant on the pretext of getting his loan sanctioned.

While issuing notice of motion, following order was passed by this Court on 09.3.2015:-

“Contends that the petitioner is willing to settle the accounts with the complainant.

Notice of motion for 24.4.2015.

In the meantime, the arrest of the petitioner shall remain stayed subject to the following conditions :-

- i) He will make himself available for investigation as and when required to do so.*
- ii) He will not leave the country without the prior permission of the Court.*
- iii) He will not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police official.”*

The case was sent to Mediation and Conciliation Centre but no settlement could be arrived between the parties.

Learned State counsel, who is assisted by Assistant Sub Inspector Kuldeep Singh and the counsel for the complainant, has submitted that the petitioner has failed to join investigation in terms of the order passed by this Court.

Since in the present case, petitioner has failed to join investigation and recovery of the amount in question is yet to be effected, no ground for grant of anticipatory bail to the petitioner is made out.

Dismissed.

**(SABINA)
JUDGE**

September 08, 2015
Gurpreet