

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

**C.R.M-M No.16670 of 2016 (O&M)
Date of Decision : 01.08.2016**

Sita Ram

..... Petitioner

versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Vaibhav Sehgal, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl.A.G., Punjab.

Complaint-Respondent No.2 is present in person.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.39 dated 20.02.2015, registered under Sections 406, 420, 120-B IPC, at P.S. Sadar Jullundur, District Jalandhar.

On 13.05.2016 the following order was passed:-

“Counsel would contend that a compromise was

entered into with the complainant and as per which a total sum of Rs.14 lacs was payable and out of which Rs.4 lacs had already been paid upfront i.e. on 14.12.2015. Counsel clearly states that even though, the balance amount of Rs.10 lacs was payable in installments i.e. Rs.4 lacs on 21.2.2016 and Rs.6 lacs on 15.5.2016, yet, on account of certain pressing circumstances the installment of Rs.4 lacs could not be made over on the stipulated date i.e. 21.2.2016.

Counsel prays for concession of anticipatory bail by undertaking that the entire outstanding amount of Rs.10 lacs would be paid and a demand draft of Rs.10 lacs drawn in favour of the complainant would be furnished before this Court on the adjourned date.

Notice of motion, returnable for 1.6.2016.

Arrest of the petitioner is stayed in the meantime.

It is made clear to the counsel that, if, the demand draft of Rs.10 lacs in favour of the complainant is not furnished on the adjourned date, the present petition seeking concession of pre-arrest bail would stand dismissed.

To be shown in the urgent list.”

Thereafter the matter has been constantly adjourned to enable the petitioner to make the payment.

Learned counsel for the petitioner has accepted that no payment has been made since then. Thus the interim order has been

obtained on his undertaking on the basis of the false assurance given by

the petitioner.

In the circumstances, I do not deem it appropriate to grant the concession of anticipatory bail to the petitioner.

Resultantly, the petition is dismissed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

August 01, 2016
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(**AJAY TEWARI**)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No