

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

CRM-M-30430-2015 (O&M)
Date of decision : 22.08.2016

Manav Chandra

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Sanjay Vashisth, Advocate,
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana,
assisted by ASI Karambir Singh.

Mr. Ashok Tyagi, Advocate,
for respondent No.2.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been filed under Section 438 of the Code of Criminal Procedure, for grant of anticipatory bail to the petitioner in case FIR No.27 dated 23.01.2013, registered under Sections 406, 420 and 506 read with Section 34 of the Indian Penal Code at P.S. Bhupani, Distt. Faridabad.

Learned counsel contends that the already granted bail was cancelled by learned trial Court by dismissing the application for exemption from personal appearance only for one date i.e. 21.03.2015.

On the other hand, learned State counsel opposes the instant petition on the ground that the petitioner has hampered the progress of the case before the trial Court.

Heard.

In this case, the challan was presented on 22.08.2013. The petitioner appeared on 19.10.2013 and was enlarged on bail. The case was fixed for consideration on charge since 15.11.2013 but applications for exemption on behalf of applicant/accused were moved on 22.01.2014, 28.02.2014 and 04.06.2014 which were allowed. Another application for exemption was moved on 23.08.2014 but the same was declined and the bail was cancelled. Thereafter, the petitioner appeared on 17.01.2015 and was released on bail and the matter was fixed for 21.03.2015, for consideration on charge, on which date, the petitioner again moved application for exemption which was declined.

On 01.03.2016, learned counsel for the petitioner made a statement that he had telephonic instructions from the petitioner to enter into settlement with the complainant. The allegations are with regard to misappropriation of Rs.16,53,000/- on the pretext of selling immovable property. Accordingly, the matter was referred to the Mediation and Conciliation Centre of this Court, however, the petitioner did not cause appearance before the Centre.

Keeping in view the fact that the petitioner did not honour his statement made at the Bar and is misusing the process of law, he is not entitled to any discretionary relief.

Dismissed.

22.08.2016
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No

ATUL SETHI
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I attest to the accuracy and
authenticity of this document
Chandigarh