

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

**CRM-M No.5850 of 2016 (O&M)
Date of Decision : 13.07.2016**

Raman Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Kawaljyot Singh, Advocate
for the petitioner.

Mr. C.S. Brar, Deputy Advocate General, Punjab
for the respondent-State.

FATEH DEEP SINGH, J.

The facts in this anticipatory bail application under Section 438 Cr.P.C. of petitioner-Raman Kumar in case FIR No.185 dated 03.12.2014 under Sections 406, 420 and 120-B of the Indian Penal Code registered at Police Station Division No.5 Jalandhar, District Jalandhar are that complainant Jagdish Lal had made a statement that the accused/petitioner-Raman Kumar along with his co-accused/non-applicants on the pretext of getting him an agency of Pepsi Company enticed and fraudulently took ₹15.00 lacs and when nothing materialized, the present case was got registered. This Court as has been contended by the State Counsel-Mr. C.S. Brar, Deputy Advocate General, Punjab and duly acceded to at the bar by counsel for the petitioner-Mr. Kawaljyot Singh, has allowed interim relief

vide orders dated 18th February, 2016 whereby interim directions were issued to the petitioner to join the investigation along with bank draft of ₹4.00 lacs in the name of the complainant and in case, he abides by that condition he would be released on interim bail to the satisfaction of the Arresting Officer and subsequently, on the next date of hearing on 7th April, 2016, a prayer has been sought by the counsel as to the very inability of the petitioner to comply with the orders of this Court and this Court has continued with the interim directions directing him to comply with the previous orders dated 18th February, 2016. It is thereafter, again a prayer was made for enlarging the time and vide orders dated 9th May, 2016, the interim order was continued subject to condition only if the petitioner joins investigation along with bank draft of ₹4.00 lacs in the name of the complainant on 28th May, 2016 and it has been acceded to at the bar that even that latitude given to the petitioner repeatedly was not acceded to and complied with in any manner and thereafter, on 9th June, 2016 again directions were issued to him and rather an application has been made for extension of this time by the petitioner who in the meanwhile has already been declared as a proclaimed offender.

Keeping in view the insolence shown by the petitioner in abiding the directions of this Court and in view of the interim orders which were subject to fulfillment of such a condition and the utter failure of the petitioner, the applicant/petitioner is not entitled to any relief for the extension of time, as such, the application bearing CRM No.19249 of 2016 stands dismissed and further impels this Court to recall the orders of interim

bail.

Since, the petitioner has already been declared as proclaimed offender and there are serious allegations of having conspired and committed fraud upon the complainant of such a huge amount of ₹15.00 lacs and thus, there is imminent need of his custodial interrogation as well as the fact that he has already been declared as proclaimed offender and thus, is not entitled to grant of bail.

Thus, finding no merit in the present petition, the same is hereby dismissed.

July 13, 2016
Dpr

(FATEH DEEP SINGH)
JUDGE