

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

**CRM No.M-17955 of 2017 (O&M)**

**Date of Decision: August 16, 2017**

Rakesh Kumar

...Petitioner

VERSUS

State U.T. Chandigarh

...Respondent

**CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH**

Present: Mr.Mandeep K. Saajan, Advocate  
for the petitioner.

Mr.Anil Kumar Lamdharia, Addl. Public Prosecutor  
for respondent-U.T. Chandigarh.

Mr.Ankit Chowdhri, Advocate  
for the complainant.

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**INDERJIT SINGH, J.**

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.55 dated 20.03.2016 under Section 420 IPC, registered at Police Station Mauli Jagran, U.T. Chandigarh.

Notice of motion was issued. Learned Addl. Public Prosecutor for U.T. Chandigarh as well as learned counsel for the complainant appeared and contested the petition.

I have heard learned counsel for the parties as well as learned Addl. Public Prosecutor and have gone through the record.

As per the order dated 19.05.2017 passed by this Court granting

interim bail to the petitioner, learned counsel for the petitioner made

statement that the petitioner is ready to return the amount of ₹4,20,000/- to the complainant Rafiq without prejudice to his civil rights in the context of total amount alleged by the complainant. The petitioner was directed to appear before the SHO/Investigating Officer on 24.05.2007 and to hand over demand draft of ₹4,20,000/- to the Investigating Officer within a week and on his doing so, it was ordered that Investigating Officer shall admit him on interim bail subject to his satisfaction.

The petitioner has not handed over the demand draft to the Investigating Officer in compliance of the order passed by this court. Again the case was adjourned for today, but the order dated 19.05.2017 passed by this Court has not been complied with yet.

Keeping in view the above facts and circumstances and in view of the allegations against the petitioner and also in view of the non-compliance of the order passed by this Court, I do not find it a fit case where petitioner is entitled to benefit of anticipatory bail.

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

**August 16, 2017**  
Vgulati

**(INDERJIT SINGH)**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable

**Yes**  
**No**