

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

**CRM-M No.26888 of 2017
Date of Decision: 14.12.2017**

Sahid

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present:- Ms. Deepa Jain, Advocate,
for the petitioner.
Ms. Dimple Jain, AAG, Haryana.

Mr. S.K. Yadav, Advocate,
for the complainant.

JITENDRA CHAUHAN.J.(oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in a case FIR No.480, dated 13.06.2017, registered under Section 498-A and 506 of Indian Penal Code at Police Station Saran, District Faridabad.

On 04.08.2017, on the basis of statement made by the learned counsel for the petitioner and with a view to facilitate the amicable settlement, notice of the motion was issued and the petitioner was directed to join investigation. Thereafter vide order dated 26.09.2017, the parties were directed to appear before the Court on 27.10.2017. On 27.10.2017, as the complainant was present, however neither the petitioner nor his advocate appeared before the Court, the Court was constrained to note that in case the petitioner does not personally appear on the next date of hearing, the interim order will be vacated. On the subsequent date i.e. on 10.11.2017, it was stated that the petitioner was down with viral and one more opportunity

was granted. However, the petitioner has not come present even today.

Learned State Counsel informs that in pursuance of the order dated 04.08.2017, though the petitioner has joined the investigation, however, in terms of order dated 04.08.2017 neither any proposal was filed nor the petitioner ever approached the complainant for settlement. Even the counsel for the petitioner is unable to explain the conduct of the petitioner.

Keeping in view the conduct of the petitioner, the Court feels that the petitioner has not approached the Court with clean hands and is not entitled to the relief sought.

Accordingly the present petition is dismissed.

December 14, 2017
shweta

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No