

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA  
AT CHANDIGARH

Crl. Misc. No.M-31980 of 2016 (O&M)

Date of Decision: February 15, 2017

Subhash Rawal

...Petitioner

Versus

State of Haryana and another

...Respondent

**CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH**

Present:- Mr. R.S. Malik, Advocate  
for the petitioner.

Mr. Kuldeep Tiwari, Addl. Advocate General, Haryana

Mr. Jasmeet Singh Bhatia, Advocate, for respondent no.2.

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**Amol Rattan Singh, J. (Oral)**

As recorded in the order dated 27.01.2017, this is the second petition seeking anticipatory bail to the petitioner, in case FIR No.212 dated 25.06.2016, registered at Police Station Udyog Vihar, District Gurgaon, for the alleged commission of offences punishable under Sections 420, 406, 467, 468, 471, 120-B IPC.

An earlier petition filed by the petitioner was dismissed; however, upon this petition having been filed, the petitioner was admitted to interim bail vide an order dated 14.09.2016, on the statement made that the matter has been compromised.

On the next date of hearing, i.e. 05.12.2016, learned counsel for the petitioner stated that he was under constraint to pay the amount agreed upon in the aforesaid compromise. However, he undertook to pay the outstanding amount within two months from 05.12.2016 and to show his

bonafides, stated that he would pay Rs.20 lacs within one month from that date, as 50% of the outstanding amount, by way of RTGS/Bank drafts. The matter was therefore adjourned to 09.01.2017, with the interim order continued.

On that date, it was simply adjourned to be heard as per roster and the matter came up for hearing before this Court on 27.01.2017.

On that date, despite the fact that Rs.20 lacs that had been undertaken to be paid had not been paid, the matter was still adjourned to 06.02.2017, in view of the fact that the two month period by which the entire amount was to be paid was to expire on 05.02.2017.

On that date, the turn of the case not having come, it was adjourned till today.

Today also, learned counsel for the petitioner submits that the petitioner is only in a position to pay Rs.3 lacs out of Rs.40 lacs.

Considering the fact that the interim order admitting the petitioner to bail was only in view of the compromise arrived at between the parties, with the earlier petition filed under Section 438 Cr.P.C. already having been dismissed, I do not see any reason to continue with the interim order.

The interim order dated 14.09.2016 therefore stands vacated.

Accordingly, this petition is dismissed.

February 15, 2017  
vcgarg

**(AMOL RATTAN SINGH)**  
**JUDGE**

**Whether reasoned/speaking: Yes**  
**Whether reportable: no**