

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

**CRM-M-36868-2016
Date of decision-26.04.2017**

**Dejinder Sharma @ Dejinderpal
Vs.**

...Petitioner

State of Punjab and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Bhavyadeep Walia, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

None for respondent No.2.

JITENDRA CHAUHAN, J. (Oral)

This petition under Section 438 of the Criminal Procedure Code has been filed for grant of anticipatory bail to the petitioner in FIR No.123 dated 11.06.2016 registered under Sections 406 and 420 of the Indian Penal Code (in short 'IPC') at Police Station Mandi Gobindergarh, District Fatehgarh Sahib.

On 20.10.2016, the following order was passed:-

“Learned counsel contends that petitioner is ready and willing to pay the entire amount paid to him through cheque.

Notice of motion for 14.12.2016.

On oral request of learned counsel for the petitioner, complainant, namely, Khushal Sharma son of Naresh Kumar resident of House No.21, Sector 25-B, Dashmesh Colony, Gobindgarh Tehsil Amlah, District Fatehgarh Sahib, is ordered to be impleaded as respondent No.2.

Registry is directed to amend the memo of parties accordingly.

Meanwhile, in the event of arrest of the petitioner by the Arresting Officer, he shall be released on interim bail subject to the following conditions:-

1.That he shall make himself available for interrogation by a police officer as and when required;

2.That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

3.That he shall not leave India without prior permission of the Court.

Notice to newly added respondent No.2 be issued for the adjourned date. Dasti only.”

Vide order dated 18.04.2017, the petitioner was directed to prepare a draft in favour of the complainant/respondent No.2 of the amount in question on or before the next date of hearing.

Learned counsel for the petitioner states that the order was duly communicated to the petitioner but no amount has been paid to the complainant/respondent No.2 till date.

In view of the above, it appears that petitioner is not interested and willing to pay the amount.

Consequently, the application for grant of pre-arrest bail stands dismissed.

Anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(JITENDRA CHAUHAN)
JUDGE

April 26, 2017

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Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No