

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

CRL. MISC. No.M-37399 OF 2016
DATE OF DECISION : 14th MARCH, 2017

Prem Kumar

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

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Present : Mr. Nakul Sharma, Advocate for the petitioner.

Mr. Daljeet Singh Virk, DAG, Punjab.

Mr. Manoj K. Pundir, Advocate for the complainant.

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A. B. CHAUDHARI, J. (ORAL)

This court had made order dated 09.03.2017 with reference to the earlier orders and by way of last opportunity the proceedings were adjourned for today to make statement regarding deposit of ₹28,60,000/- by the petitioner. The said amount belongs to the farmers.

Learned counsel for the petitioner states that he has made the due efforts for taking instructions from the petitioner but the petitioner appears to have no desire to comply with the said order.

Be that as it may. Since the petitioner is unable to make commitment as to the refund of ₹28,60,000/- and since I find that there is *prima facie* case against the petitioner who sold the goods of the farmers and obtained the money from the Government Department towards sale proceeds and then misappropriated the same to himself. The number of

the farmers is fifteen. In that view of the matter, I think that on both counts i.e. for non-compliance of the order as well as on merits, the petitioner would not be entitled to concession of bail.

Hence, the petition for anticipatory bail is dismissed.

Interim order dated 20.10.2016 passed by this Court, stands vacated.

14th MARCH, 2017
‘raj’

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned:	Yes	No
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Whether Reportable:	Yes	No
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