

CRM-M-37039-2017

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

CRM-M-37039-2017

Date of Decision: 03.10.2017

Rakesh Kumar

... Petitioner

Versus

U.T. of Chandigarh

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Simranjeet Singh Sarwara, Advocate,
for the petitioner.

INDERJIT SINGH, J.

Petitioner-Rakesh Kumar has filed this 2nd petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.55 dated 20.03.2016, registered at Police Station Mauli Jagran, Chandigarh, under Section 420 of the Indian Penal Code.

I have heard learned counsel for the petitioner and have gone through the record.

From the record, I find that first petition filed by the petitioner for anticipatory bail has already been dismissed by this Court, vide detailed order dated 16.08.2017, passed in CRM-M-17955-2017. Vide order dated 19.05.2017 passed in that petition, the petitioner was granted interim bail as he stated that he is ready to return the amount of ₹4,20,000/- to complainant-Rafiq without prejudice to his civil rights. On that day, this

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Court directed the petitioner to appear before the SHO/Investigating Officer on 24.05.2017 and to hand over demand draft of ₹4,20,000/- to the Investigating Officer within a week, but since the passing of order dated 16.08.2017, the petitioner did not hand over the demand draft. Since the petitioner had not complied with the order passed by this Court, therefore, his earlier petition for anticipatory bail was dismissed.

Now the petitioner has again filed the instant petition for anticipatory bail on the same ground that he is ready to pay the money to the complainant.

Keeping in view the facts and circumstances of the present case, I find that no ground is made out to grant anticipatory bail to the petitioner.

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

03.10.2017
parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No