

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

CRM-M-41894 of 2016 (O&M)

Date of decision : 21.02.2017

Narinder Kumar Bajpai

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present : Mr. Manoj Sharma, Advocate for
Mr. Sunil Polist, Advocate for the petitioner (s).

Mr. Saurabh Mohunta, DAG, Haryana

Mr. Rahul Deswal, Advocate
for the complainant.

JITENDRA CHAUHAN, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking regular bail in FIR No.203 dated 27.07.2016, registered under Sections 406, 420, 467, 468 and 471 of the Indian Penal Code (for short 'the IPC'), at Police Station Ladwa, District Kurukshetra.

On 22.12.2016, the learned counsel appearing for the petitioner made a statement that the petitioner is ready and willing to make the entire payment. Accordingly, the petitioner was directed to prepare a demand draft of Rs.65 lakh to be presented on or before the next date of hearing and the matter was posted for 20.01.2017. On that date, Mr. Arvind Seth, Advocate

caused appearance on behalf of Mr. Sunil Polist, Advocate and informed the Court that learned arguing counsel was down with fever. Thus, the matter was adjourned for today with the direction that the order dated 22.12.2016 be complied with in the meantime. Today, Mr. Manoj Sharma, Advocate caused representation on behalf of Mr. Sunil Polist, Advocate, however, his power of attorney is not on record and submits that the statement made by Mr. Sunil Polist, Advocate on 22.12.2016 was without instructions.

On the other hand, the learned State counsel states that out of 14 prosecution witnesses, 2 prosecution witnesses have been examined so far.

I have heard the learned counsel for the parties and carefully perused the entire file.

Keeping in view the fact that even after availing sufficient opportunity, the learned counsel for the petitioner did not comply with the order dated 22.12.2016, without adverting to the merits of the case, the present petition is dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

21.02.2017

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned:

Yes / No

Whether reportable:

Yes / No