

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-43070-2016

Date of Decision: 01.05.2017

Prem Kumar

.....Petitioner

Vs.

Sandeep Kumar and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Amandeep Chabra, Advocate,
for the petitioner.

None for respondent no. 1.

Mr. Rajesh Mehta, Addl. Advocate General, Punjab.

AMOL RATTAN SINGH, J. (ORAL)

Vide an order dated 02.12.2016, it had been directed that the petitioner would join investigation along with a bank draft of Rs. 1.50 lacs, in the name of the complainant, on or before 17.12.2016 and in case he did so, he would be released on interim bail to the satisfaction of the arresting officer.

On the next date of hearing, when the case actually came up for hearing on 14.03.2017, none had appeared for the petitioner but it had been noticed in the order that actually no notice had been issued at the time when the aforesaid direction was given on 02.12.2016, and consequently, formal notice was issued on that date, with counsel for the State having accepted notice in Court on behalf of respondent no. 2.

Thereafter, on 22.03.2017, learned counsel for the petitioner appeared

and learned counsel for the State had submitted that the order dated 02.12.2016 had

not been complied with, as the bank draft of Rs. 1.50 lacs had not been deposited by the petitioner.

It had already been clarified in that order that there was no interim order operating in favour of the petitioner, in view of the fact that the pre-condition had not been complied with.

Today, learned counsel for the State submits that the petitioner has actually been arrested as there was no order operating in his favour and therefore, this petition has been rendered infructuous.

Disposed of as such.

May 01, 2017
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No.