

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M No.6245 of 2017

Date of decision: 22.5.2017

ASHOK KUMAR

.....petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Gaurav Mohunta, Advocate,
for the petitioner.

Ms.Rimplejeet Kaur, AAG, Punjab.

Raj Mohan Singh, J.(oral)

On 23.2.2017, following order was passed by this

Court:-

“Learned counsel for the petitioner contends that out of total amount of Rs. 15 lacs, an amount of Rs. 3 lacs was paid on account of the compromise between the parties. The petitioner undertakes to pay remaining amount of Rs. 12 lacs by way of demand drafts within seven days before the investigating officer.

Notice of motion for 17.04.2017.

The petitioner is directed to appear before the SHO/investigating officer to join investigation on 02.03.2017. In the event of arrest, he shall be enlarged on ad interim bail subject to depositing demand draft of Rs. 12 lacs and to the satisfaction of the arresting officer

and shall abide by the conditions as envisaged under Section 438(2) Cr.P.C. Petitioner shall also hand over the passport of the complainant to the arresting officer.”

The said order was not complied with on a subsequent date. Rather on 17.4.2017, learned counsel for the petitioner, on instructions, stated that the complainant has again reposed faith in the petitioner for sending his sons abroad and the petitioner has also applied for Visas. Accordingly, Investigating Officer was directed to record statement of the complainant in respect of aforesaid development.

In pursuance of said order, complainant has appeared before the Investigating Officer and has stated that his sons are no more interested in going abroad and as such he wants his money back.

It appears that the petitioner has obtained the interim relief on wrong premise. No such indulgence can be granted in favour of the petitioner, who has not come to the Court with clean hands.

Dismissed.

May 22, 2017

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Whether reasoned/speaking

Whether reportable

**(RAJ MOHAN SINGH)
JUDGE**

Yes/No

Yes/No