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

CRM-M No.6966 of 2017

Date of Decision: 15.05.2017

BALWINDER SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Jagtar Singh, Advocate
for the petitioner.

Mr. Shilesh Gupta, Addl. A.G., Punjab.

Mr. Vijay Lath, Advocate
for the complainant.

RAJ MOHAN SINGH, J.(Oral)

Prayer made in the present petition is for grant of anticipatory bail in case bearing FIR No.80 dated 06.08.2016 registered under Sections 406, 420, 506 IPC at Police Station Anandpur Sahib, District Rupnagar (Ropar).

While rejecting the prayer for anticipatory bail on 09.02.2017, Sessions Judge, Rupnagar observed in concluding part of the order in the following manner:-

“Interim anticipatory bail was granted to the petitioner vide order dated 11.08.2016, when he came

forward to resolve the matter amicably, consequent to which, the complainant was called. As per settlement, the petitioner issued a cheque of Rs.5,00,000/- to the complainant and the complainant sought time to make statement for compromise, subject to clearance of the cheque, but later said cheque was also dis-honoured. Very grave and serious allegations are there against the petitioner. Prima facie, he is time and again duping the complainant and even has tried to play game with the Court. Hence, I do not deem it to be a fit case to invoke my extra ordinary powers under Section 438 Cr.P.C. to grant anticipatory bail to petitioner Balwinder Singh. Hence, interim anticipatory bail granted to the petitioner, vide order dated 11.08.2016 stands cancelled and this anticipatory bail application is dismissed. Police record be returned and bail application file be consigned to Record Room.”

Thereafter petitioner filed the present petition in this Court and made a statement that he is still willing to settle the dispute with the complainant and even ready to return the amount. On that premise, notice of motion was issued with interim bail on 02.03.2017.

In due course, the case was adjourned for 27.04.2017. Even on the said date, learned counsel for the petitioner submitted that the petitioner would bring an amount of Rs.3.5 lacs on the adjourned date i.e. today and the remaining amount shall be paid within a period of one month thereafter. Learned

counsel for the petitioner undertook the aforesaid submission on instructions from the petitioner.

Today learned counsel for the petitioner submitted that the petitioner is not ready to fulfil the aforesaid obligation and intends to withdraw the present petition.

Since the petitioner has played hide and seek with the Court as similar *modus operandi* was adopted by him before the Court of Sessions, I deem it appropriate to allow the petitioner to withdraw the present petition, however subject to the cost of Rs.50,000/- to be deposited by him with the District Legal Services Authority, Rupnagar.

In case, the aforesaid amount is not voluntarily deposited, the same shall be recovered by the *Illaq*a Magistrate/trial Court as an arrears of land revenue in accordance with law.

Ordered accordingly.

May 15, 2017

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**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No