

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-11993 of 2018

Date of Decision: 24.05.2018

Jayant Kumar

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Dr. Anmol Rattan Sidhu, Sr. Advocate
with Mr. Pratham Sethi, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.635 dated 03.11.2016 registered for offences punishable under Sections 406 and 420 of Indian Penal Code (for short, "IPC") at Police Station Sadar Fatehabad.

Heard.

Learned counsel for the petitioner submits that he has instructions from wife of the petitioner, namely, Vandana Sinha that she will deposit ₹7 lakhs with Central Cooperative Bank, Fatehabad within a period of two weeks. The remaining outstanding amount will also be paid by the petitioner either under settlement by moving application for 'one time settlement' with the bank or as found due within a period of six months. He has placed on file affidavit of Vandana Sinha, wife of the petitioner, wherein it has been stated that petitioner will pay the entire amount in dispute by

moving application for one time settlement with the bank and she will also

deposit ₹7 lakhs.

In view of above undertaking by learned counsel for the petitioner, the present petition is allowed. Petitioner-Jayant Kumar is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner will deposit ₹7 lakhs with Central Cooperative Bank, Fatehabad within a period of two weeks from today. In the event of his failure to pay this amount, the benefit of bail allowed to him shall stand withdrawn.
- (b) The petitioner will settle to pay entire remaining amount due with the bank within a period of six months. He may pay the amount as settled with the bank or as due in the accounts of bank. However, if the entire remaining outstanding amount as per settlement or otherwise is not paid within six months, the benefit of bail allowed to him shall automatically stands vacated.
- (c) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (d) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (e) He shall not leave the country without the previous permission of the Court.

May 24, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No