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

CRM-M No.23871 of 2018

Date of Decision: 03.08.2018

SUSHIL MEHTA

.....Petitioner

Vs

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Rahul Deswal Advocate
for the petitioner.

Mr. R.T. Redhu, D.A.G., Haryana.

RAJ MOHAN SINGH, J. (Oral)

Vide order dated 17.04.2018, the earlier petition i.e. CRM-M No.36214 of 2017 filed by the petitioner was decided along with CRM-M No.31285 of 2017. The operating part of the order recorded in para no.11 reads as under:-

“[11]. At this stage, without embarking anything upon merits of the case, both the petitions are allowed. Interim bail granted to the petitioner Randeep Singh vide order dated 28.02.2018 is hereby confirmed subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the trial Court. So far as Sushil Mehta is concerned, he has already undertaken to make good the due payment to the complainant as per compromise before the Lok Adalat dated 08.11.2017. It would be in all fairness to provide one last opportunity to accused Sushil Mehta to fulfill his promise arising out of decision dated 08.11.2017

passed by the Judicial Magistrate First Class-Presiding Officer, Daily Lok Adalat, Assandh and order dated 16.11.2017 passed by the High Court. As a last resort, time is given to accused Sushil Mehta upto 07.05.2018 to satisfy the entire claim of the complainant irrespective of his hardship, if any. Since reasonable time has already been granted to Sushil Mehta, therefore, I deem it appropriate to give last chance to Sushil Mehta to make good the payment of requisite amount to the complainant, failing which, CRM-M No.36214 of 2017 would be deemed to be dismissed without making any further reference to the Court.”

Evidently, the aforesaid order has not been complied with so far. Whereas, the present petition has been filed in which petitioner has shown his willingness to pay an amount of Rs.5 lakhs to the complainant.

The order passed in the said petition was to be complied with irrespective of any hardship. The petition was dismissed with deemed fiction.

In view of observations made by this Court in the earlier petition i.e. CRM-M No.36214 of 2017, no indulgence can be granted in the present crl. petition. The same is accordingly dismissed.

August 03, 2018

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Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No