

207.

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

CRM-M-35742-2018

Date of decision:03.10.2018.

RAKESH KUMAR SHARMA

... Petitioner

versus

STATE OF PUNJAB AND ANR.

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Ashish Gupta, Advocate,
for the petitioner.

Mr.Rana Harjasdeep Singh, DAG, Punjab,
for respondent No.1.

Mr. Param Preet Singh Brar, Advocate,
for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No.88 dated 25.07.2018 registered under Sections 420, 506 IPC at Police Station Jaitu, District Faridkot.

On 20.08.2018 when the matter came up for hearing, this Court passed the following order:-

“Learned counsel for the petitioner states that the petitioner is ready to settle the dispute with the complainant and in order to show his bona fide, petitioner will bring a bank draft of ₹1 lakh in the name of complainant on the next date of hearing.

Notice of motion for 25.09.2018.

Meanwhile, in the event of arrest of the petitioner, he shall be released on ad-interim bail to the satisfaction of the arresting officer. However, the petitioner shall join the investigation as and when directed by the

investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C.

On oral request of learned counsel for the petitioner, complainant-Nihal Singh son of Rur Singh, resident of Village Quila Nau, District Faridkot, is ordered to be impleaded as respondent No.2.

Registry to make necessary amendment in the memo of parties.

On the adjourned date, parties shall remain present in court.”

Thereafter, on 25.09.2018, this Court passed the following order:-

“Mr. PPS Brar, Advocate has put in appearance on behalf of the complainant and filed his *vakalatnama* in Court which is taken on record.

Learned counsel for the petitioner, on instructions from the petitioner who is present in Court, seeks a week’s time to bring the demand draft of Rs.1 lakh, in the name of the complainant, as undertook by him on 20.08.2018.

List on 03.10.2018.”

The petitioner was admitted on interim bail on an assurance that he will bring a bank draft of ₹1 lakh in the name of complainant on the adjourned date, but despite having been granted two opportunities, petitioner has not handed over the draft and again there is a request for an adjournment. The order dated 25.09.2018 was passed in the presence of the petitioner himself and on his request, the case was adjourned for today.

The conduct of the petitioner shows that he is not inclined to honour the order passed by this Court as well his own undertaking.

Accordingly, present petition stands dismissed.

(HARI PAL VERMA)
JUDGE

03.10.2018
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.