

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

CRM-M No. 6870 of 2018 (O&M)
DATE OF DECISION :- April 18, 2018

Vipan Kumar and others **...Petitioners**

Versus

State of Haryana **...Respondent**

CRM-M No. 6871 of 2018

Sandeep Kumar **...Petitioner**

Versus

State of Haryana **...Respondent**

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. S.D. Bansal, Advocate for the petitioners.

Mr. Neeraj Poswal, AAG, Haryana.

Mr. Aakash Singla, Advocate for the complainant.

On 9.3.2018, learned counsel representing the petitioners had made a statement that petitioners were ready and willing to have amicable settlement with the respondent and to show his bonafides a demand draft in the sum of Rs. 50 lacs in favour of the complainant would be brought and thereafter the matter may be referred to Mediation Centre. Accordingly, in view of that statement the petitioners were granted interim bail directing them to join the investigation within 5 days from the date of order. The case was adjourned to 3.4.2018. On 3.4.2018 it transpired that the petitioners had not joined the investigation within such period. Demand Draft in the sum of Rs. 50 lakhs in the name of complainant was not brought rather learned counsel for

the petitioners stated that he had brought a demand draft erroneously got prepared in the name of Registrar of this Court, therefore, some time be given to get a new demand draft prepared in the name of complainant. His request was accepted. His further request for extension of time to enable the petitioners to join the investigation was also allowed fixing the case for today.

Today, the demand draft in the sum of Rs. 50 lacs in the name of the complainant as undertaken has not been brought. The petitioners have not joined the investigation within the stipulated period rather an application has been filed praying for extension of time to join the investigation contending that petitioners could not comply with the directions on account of the fact that brother-in-law of the petitioner have expired a few days back and petitioners were busy in religious rituals after two months of the death and thereafter they had approached the investigating officer who informed that they would be arrested in pursuance of warrants of arrest issued by the Court of Judicial Magistrate Ist Class, Hisar in three criminal complaints, therefore, could not joined the investigation and further time be granted.

I do not find any merit in the application. The same stands declined. Since the petitioners have not complied with the undertaking given in the Court, therefore, both the petitions stand dismissed.

(H.S. MADAAN)
JUDGE

April 18, 2018
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No