

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

CRM-M-29571-2019

Date of decision: 18.9.2019

Ashok Kumar

...Petitioner

Versus

State of Punjab

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr.Mohit Garg, Advocate for the petitioner

JITENDRA CHAUHAN, J.

This is the 3rd petition filed under Section 438 Cr.P.C. for grant of bail to the petitioner in case FIR No. 43 dated 16.3.2016, registered under Sections 420/120-B of the Indian Penal Code at Police Station, Morinda, District Ropar.

Learned counsel for the petitioner states that due to paucity of money, the petitioner could not pay the money within the stipulated period and now in view of the compromise, the petitioner has already paid compromise amount and the remaining would be paid as per the terms of the settlement.

Heard.

The operative part of the order dated 9.11.2017, vide which, the petitioner was allowed anticipatory bail, reads as under:-

“It is contended that in pursuance of the order

dated 18.07.2017, the petitioner has joined the investigation. It is further submitted that the petitioner undertakes that he will make half of the remaining payment within one month and the remaining half within one month thereafter i.e. the entire payment shall be deposited by the end of January, 2018 before the Registrar General of this Court.

Learned State counsel, on instructions, states that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of above, the order dated 18.07.2017 passed by this Court is made absolute, subject to furnishing of bail bonds/ surety bonds by the petitioner to the satisfaction of the CJM/Duty Magistrate concerned. However, the petitioner shall remain bound by the undertaking given by him. If the payment is not made within the stipulated period, the present petition would be deemed to be dismissed without any further notice.

The petitioner was allowed bail by this Court vide order dated

9.11.2017 in pursuance of the undertaking given above. Despite that he did

not pay the amount. It appears that he has scant regard for the orders passed by the Court. Moreover, the petitioner has been declared as a proclaimed offender.

In view of the above, the present petition is devoid of merits.

However, in view of the assertions that the matter stands compromised between the parties, it is ordered that in case the petitioner surrenders before the trial Court within a week from today and moves application for regular bail, the same shall be decided expeditiously.

Disposed of accordingly.

18.9.2019
gsv

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned?
Whether reportable?

Yes / No
Yes / No