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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-38139-2019
Date of decision-01.10.2019

Ankush Dagar

....Petitioner

Vs.

State of Haryana

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Kunal Dawar, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana assisted by
SI Zakir Hussain.

MANOJ BAJAJ, J.

Petitioner-Ankush Dagar has filed this petition under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No.938 dated 17.10.2017 registered under Sections 406 and 420 read with Section 34 of Indian Penal Code, 1860 at Police Station Khawaja, District Faridabad.

On 17.09.2019, the following order was passed:-

“This is second petition filed under Section 438 Cr.P.C. filed on solitary ground that the accused Ankush Dagar is willing to compound the offence by making payment to the complainant and he has produced the demand draft and a cheque in favour of complainant. He submits that in the previous petition filed under Section 438 Cr.P.C. though willingness to compound the offence was expressed, however, the amount could not be arranged by him and the petition was withdrawn on 19.11.2018. Notice of motion for 01.10.2019.”

Complainant, namely, Shatrudhan Prasad is present in Court who states that a sum of Rs.2,50,000/- in all was given to petitioner-Ankush Dagar. According to him, a sum of Rs.1,90,000/- was paid through cheque and remaining Rs.60,000/- by cash against a receipt.

Learned State counsel on instructions from SI Zakir Hussain submits that receipt was issued by the company. The petitioner had issued a cheque but the same was dishonoured.

Learned counsel for the petitioner submits that the petitioner is ready to pay a sum of Rs.1,00,000/- only. He further submits that the petitioner is willing to face the trial.

After hearing learned counsel for the parties, the petition was entertained only on the ground of compounding the offence and the stand adopted by the petitioner for partial payment is contrary to the original stand portrayed before this Court on 17.09.2019.

Resultantly, petition fails and dismissed.

01.10.2019

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(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No