

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc.-M-42384 of 2019
Date of Decision: November 18, 2019.

Krishan Gopal

.....Petitioner

versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE ANIL KSHETARPAL.

Present: Mr.Vaibhav Mittal, Advocate, for the petitioner.
Mr.Surinder Pal Singh Tinna, Additional AG, Punjab.
Mr.Rajinder Sharma, Advocate for respondent No.2.

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Anil Kshetarpal, J. (Oral)

On 03.10.2019, the following order was passed:-

“Petitioner prays for pre-arrest bail in FIR No. 158 dated 13.12.2018 registered under Section 408 IPC at Police Station Division E-Commissionrate, Amritsar.

Learned counsel for the petitioner submits that parties had settled the dispute for a sum of Rs.6,25,000/-, out of which Rs.1 lakh was paid and for remaining amount post dated cheque was issued which was dishonoured as the petitioner did not had the requisite balance in his account. Learned counsel for the petitioner submits that petitioner is ready to pay the balance amount of Rs.5,25,000/- forthwith.

Notice of motion.

On the asking of the Court, Mr. S.P.S.Tinna, Additional Advocate General, Punjab who is present in Court accepts notice on behalf of State of Punjab and seeks time to get instructions.

Adjourned to 15.11.2019.

In the event of arrest, the petitioner shall be released on interim bail provided he deposits an amount of Rs.5,25,000/- before the concerned Illaqa Magistrate within 10 days from today and also subject to furnishing personal

bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

On 15.11.2019, the following order was passed:-

“Learned counsel appearing for the first informant has submitted that the order dated 3.10.2019 has not been complied with.

Learned State counsel on instructions from ASI Satwinder Singh has also submitted that the petitioner has not come forward to join the investigation, although called upon.

On the request of the learned counsel for the petitioner, adjourned to 18.11.2019.

No further request for an adjournment shall be entertained.”

Learned counsel for the petitioner submits that the petitioner has neither paid the amount nor come forward to join the investigation.

In view of the above, the Court is not inclined to extend the interim protection granted.

Dismissed.

November 18, 2019

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**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned

:

Yes/No

Whether Reportable

:

Yes/No