

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

**CRM-M No.23944 of 2019
DATE OF DECISION:17.01.2020**

Suman and another

...Petitioners

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR.JUSTICE LALIT BATRA

Present: Mr. Wazir Singh, Advocate for
Mr. P. K. Rohilla, Advocate
for the petitioners.

Mr. Arun Beniwal, DAG, Haryana.

Mr. Sandeep Kotla, Advocate
for the complainant.

LALIT BATRA, J. (Oral)

Present petition under Section 438 Cr.P.C is for grant of pre-arrest bail to the petitioners in case F.I.R. No.282 dated 29.03.2019 under Sections 120-B, 406, 420, 465 and 506 IPC registered at Police Station Panipat City, District Panipat.

Learned State counsel on instructions from ASI Mahavir Singh submits that despite seeking several adjournments, petitioners have failed to join investigation and, thus, committed violation of order dated 06.06.2019 rendered by this Court.

Learned counsel for complainant submits that though in terms of order dated 06.06.2019, petitioners had given undertaking to refund an

amount of ₹2 lakhs to the complainant within a period of one month from the date of passing of order (06.06.2019) and remaining amount of ₹2 lakhs shall be paid by them by 30.09.2019 but despite seeking several adjournments, no amount has been paid by the petitioners in favour of complainant.

In view of above, learned State counsel assisted by learned counsel for the complainant has urged that once petitioners have flagrantly violated the concession extended to them, no extra-ordinary ground has been made out in their favour for their entitlement of pre-arrest bail.

I have heard learned counsel for the parties.

Without commenting anything on the merits of the case, since petitioners did not join investigation in terms of order dated 06.06.2019 passed by this Court and, thus, committed violation of condition as envisaged under Section 438(2) Cr.P.C. Besides that petitioners have failed to abide by the undertaking to refund an amount of ₹4 lakhs in favour of complainant and that too within stipulated period. It was specifically ordered on 06.06.2019 that in case above said amount is not paid by the petitioners within stipulated period, interim order shall stand automatically vacated.

Keeping in view totality of entire scenario, no extra-ordinary ground has been made out in favour of petitioners for their entitlement of pre-arrest bail.

As a sequel to above, instant petition for grant of pre-arrest bail
moved by the petitioners is dismissed.

(LALIT BATRA)
JUDGE

17.01.2020
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Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No