

207 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-22184-2021

Date of decision-16.07.2021

Girish Kumar

...Petitioner

Vs.

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. A.P.Kaushal, Advocate for the petitioner.
Mr. Ramandeep Singh Sandhu, Sr.DAG, Punjab.
Mr. Arun Bansal, Advocate for respondent No.3.

MANOJ BAJAJ, J.

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.45 dated 03.03.2021 under Section 420 Indian Penal Code, 1860 registered at Police Station Jamalpur, Ludhiana, District Ludhiana. The petitioner apprehend his arrest at the hands of Police.

On 04.06.2021, the following order was passed:-

“This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

It is submitted that FIR in question has been registered due to misunderstandings between the parties. The petitioner, it is submitted, is ready and willing to return the entire amount of Rs.9,50,000/- in installments within six months from today. Further to show his bona fides, petitioner would handover a demand draft of Rs.2,00,000/- on the next date of hearing.

At oral request of learned counsel for the petitioner, Ms. Tanu Singla, wife of Tushar Bansal,

resident of House no. 261-R, Janta Enclave, Dugru, Ludhiana, is impleaded as respondent no.3.

Notice of motion.

Mr. Sukhbeer Singh, AAG., Punjab, accepts notice on behalf of respondents no.1 and 2.

Notice be issued to respondent no.3 for 16.07.2021.

In the meanwhile, the petitioner shall appear before the Investigating Officer and join investigation. In the event of his arrest, the petitioner shall be released on bail to the satisfaction of Investigating Officer. Petitioner shall comply with the conditions stipulated in Section 438(2) Cr.P.C.”

Learned State counsel who is assisted by ASI Rupinder Singh has stated that petitioner has not complied with the directions dated 04.06.2021 given by this Court as he has not joined investigation.

At this stage, learned counsel appearing on behalf of the complainant has pointed out that the petitioner was directed to bring the demand draft of Rs.2,00,000/- and the payment has not been made.

This fact is not disputed by learned counsel for the petitioner that the petitioner has not made any payment.

Considering the above background and the conduct of the petitioner, this Court is of the opinion that as the petitioner has failed to comply with the order dated 04.06.2021, therefore, no case is made out for extending the extra ordinary concession of pre arrest bail.

Dismissed.

(MANOJ BAJAJ)
JUDGE

July 16, 2021

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No