

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M No.38401 of 2021 (O&M)

Date of Decision:07.12.2021

Jaswinder

...Petitioner

Versus

State of Haryana and another

...Respondents

**CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present:- Mr. Amit Chaudhary, Advocate  
for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

Mr. Vikas Bishnoi, Advocate  
for the complainant.

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**JAISHREE THAKUR, J. (ORAL)**

1. This is a petition that has been filed for grant of anticipatory bail to the petitioner in FIR No.200 dated 03.09.2021 under Sections 406, 420 and 506 IPC at Police Station Bhattu Kalan, District Fatehabad.

2. Counsel for the petitioner herein on 16.09.2021, while praying for stay of arrest of the petitioner, had made a categorical statement in Court that he had instructions that the petitioner was willing to return the amount of ₹2.5 lakhs by way of a demand draft in the name of the complainant. This contention was duly noted by the Court and a direction was given that payment should be made on or before the next date of hearing.

3. Thereafter, the matter was listed on 06.10.2021, on which date, Mr. Vikas Bishnoi, Advocate had put in appearance for the complainant, however, on the said date, there was no mention of any payment having been made. Consequently, the matter stood adjourned for 13.10.2021, on

which date, the matter was adjourned for 10.11.2021.

4. On 10.11.2021, counsel for the petitioner sought time to comply with the order dated 16.09.2021, which prayer was allowed. Today, counsel appearing for the petitioner would submit that he needs two months time to make the payment, which prayer is not accepted by the Court itself, considering the fact that sufficient time had been taken by the petitioner to make payment. This Court proposes that the petitioner pay some interest on the amount that is due on account of delayed payment, considering the fact that he had given an undertaking as far back as 16.09.2021 to make good the payment. However, counsel appearing for the petitioner has shown his handicap in doing so. This Court asked counsel for the petitioner to verify from the petitioner himself whether he is willing to pay a little interest on account of delayed payment but the counsel for the petitioner has expressed his inability stating that the petitioner would not do so.

5. Consequently, as the payment has not been made as undertaken, this Court finds no ground to allow anticipatory bail to the petitioner. Resultantly, the instant petition stands dismissed.

**December 07, 2021**  
Pankaj\*

**(JAISHREE THAKUR)**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable

Yes/No  
Yes/No