

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

204

CRM-M-6918-2021 (O&M)
Date of decision : 25.01.2022

Amit Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Namit Khurana, Advocate
for the petitioner.

Mr. Ashok Singh Chaudhary, Addl. AG, Haryana.

Mr. G.C Shahpuri, Advocate
for the complainant.

HARNARESH SINGH GILL, J. (Oral)

Case is taken up for hearing through video conferencing.

Prayer in the present petition is for grant of anticipatory bail to the petitioner in case FIR No.21 dated 04.02.2021, under Sections 420 and 406 IPC, registered at Police Station Jathlana, District Yamuna Nagar, Haryana.

Vide order dated 15.02.2021 passed by a Coordinate Bench of this Court, ad-interim anticipatory bail was granted to the petitioner and he had been directed to join the investigation.

On 18.11.2021, learned State counsel, on the instructions from ASI Daulat Ram, submitted that though the petitioner had joined the investigation, yet the fact remained that he was not cooperating with the investigating agency. On that date, the petitioner was again directed to join the investigation.

Thereafter, again on 13.01.2022, since, the petitioner was the owner of the JCB Machine in question and had already paid some installments, he had been directed to settle the account with the complainant failing which the petition is to be decided on merits.

Today, also, position remains the same.

Perusal of the record would show that, since 15.02.2021, despite availing the number of opportunities, the petitioner has not bothered to comply with the orders passed by this Court or the Coordinate Bench of this Court. Though, the petitioner has joined the investigation yet he is not cooperating with the investigating agency.

The petitioner cannot be allowed to avail of the interim protection at the costs of violation of the conditions laid therein. Therefore, the petitioner is no longer entitled to the interim protection.

In view of the above, the present petition is dismissed.

(HARNARESH SINGH GILL)
JUDGE

January 25, 2022

Jyoti-1 Whether speaking/reasoned Yes/No Whether Reportable Yes/No