

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-7567-2022 (O&M)
Date of Decision:-5.7.2022

Vipul Mahinder Verma ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Munfaid Khan, Advocate for the petitioner.

Mr. Rahul Mohan, DAG, Haryana,
assisted by ASI Sunil.

Mr. Rajesh Lamba, Advocate for the complainant.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.48 dated 22.2.2020, Police Station, Sector-17, Faridabad, District Faridabad, under Sections 420, 406, 506 and 120-B of Indian Penal Code.
2. At the time of issuance of notice of motion on 23.2.2022, the following order was passed:

“Taken up through video conferencing

This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.48 dated 22.02.2020 under Sections 420, 406, 506 and 120-B of Indian Penal Code, 1860 registered at Police Station Sector 17, Faridabad.

Learned counsel for the petitioner at the outset has contended that present is primarily a case of money dispute and two FIRs were registered against the petitioner. In FIR No.47 dated 22.02.2020 registered under Sections 420, 406, 506 and 120-B IPC at Police Station Sector 17, Faridabad the petitioner has already been granted interim relief by the Trial Court and he has been directed to join the investigation. Learned counsel for the petitioner would further contend that the petitioner intends to pay the entire amount back to the complainant and in order to show his bona fides he is willing to deposit a demand draft of Rs.10 lakhs in the name of the complainant with the Investigating Officer at the time of his joining investigation.

Notice of motion for 05.04.2022.

On the asking of the Court, Mr. Viney Phogat, DAG Haryana, who has joined the session through video conferencing, accepts notice on behalf of the respondent-State while Mr. Rajesh Lamba, Advocate has put in appearance on behalf of the complainant.

Meanwhile, the petitioner is directed to join investigation as and when called for, In the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal bonds with adequate surety to the satisfaction of the Investigating Officer/Arresting Officer subject to the condition that the petitioner, in order to show his bona fides, shall hand over a demand draft for Rs.10 lakhs, in the name of the complainant, to the Investigating Officer/Arresting Officer who would retain the same till further orders. The petitioner shall also abide by all the

terms and conditions as specified in Section 438(2) of the Code of Criminal Procedure, 1973.”

3. Learned counsel for the complainant has submitted that the petitioner has not complied with the directions issued by this Court as regards handing over a demand draft of Rs.10 lakhs in the name of the complainant.
4. When the matter was taken before this Court before lunch, learned counsel representing the petitioner had informed that he was unable to contact his client telephonically and the matter was posted to be taken up again after lunch.
5. Now, when the matter has been taken up again in the post lunch session, learned counsel for the petitioner has not been able to furnish any information and has stated that he could not contact his client. It is evident that the petitioner has not complied with directions issued on 23.2.2022. In these circumstances, the instant petition is hereby dismissed for non-prosecution.

5.7.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No