

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

CRM-M-47350-2017

Date of Decision: 10th August, 2022

Harish Garg

... Petitioner

Versus

UT of Chandigarh and another

... Respondents

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. Sandeep Gahlawat, Advocate for the petitioner.
Mr. J.S. Toor, APP, U.T., Chandigarh.
Mr. Ravi Sharma, Advocate for respondent No.2.

AVNEESH JHINGAN , J.(Oral)

This petition is filed seeking regular bail in case of FIR No. 244, dated 15th July, 2015, under Sections 420/ 467/ 468/ 471/ 120-B of Indian Penal Code, 1860, registered at Police Station Sector 17, Chandigarh.

Notice of motion was issued on 18th December, 2017.

On 4th April, 2018, following order was passed:-

“On the last date of hearing, following order was passed in this case:-

“Pursuant to order dated February 16, 2018, Mr. Toor has produced a copy of the final report submitted by the investigating agency. Same is taken on record.

At this stage, learned counsel for the petitioner submits that he has instructions to submit that the petitioner is ready to settle the accounts with the Bank. On his oral request, Central Bank of India is impleaded as respondent in the array of the parties.

Notice be issued to the Bank for 04.04.2018 on address to be supplied by learned counsel for the petitioner.”

It is contended by counsel for the petitioner that one opportunity may be granted to the petitioner to settle the account with the bank. He may be released on interim bail for this purpose. This prayer is not seriously opposed by counsel representing U.T.

Under the circumstances, petitioner is directed to be released on interim bail for a period of six weeks subject to stringent conditions.

To come up on 24.5.2018.”

Learned counsel for the Bank submits that after getting interim bail, only Rs. 24,00,000/- have been deposited out of due amount 1,85,00,000/-. The contention is that as there is no immovable property available with the bank which is an handicap for recovery proceedings. He further on instructions submits that strict action against the bank official has been taken.

The contention is that there is another FIR in which petitioner adopted similar *modus operandi* with Punjab National Bank. The argument is that statement which was made before this Court for seeking interim bail has not been complied with.

Learned counsel for U.T., Chandigarh submits that petitioner is not appearing before the trial Court. On 26th July, 2022 his bail bonds was cancelled and non-bailable warrants were issued on 24th August, 2022.

Learned counsel for the petitioner on instructions submits that petitioner filed an application under Section 70 of Cr.P.C., which is pending.

Considering the conduct of the petitioner, the order granting interim bail is vacated.

The petition is disposed of with liberty to the petitioner to move an application before Court concerned for grant of bail.

(AVNEESH JHINGAN)
JUDGE

10th August, 2022

Parveen Sharma

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No