

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

205

CRM-M-37747-2020

NATHANIAIL

..... Petitioner

VERSUS

STATE OF PUNJAB

..... Respondent

CRM-M-13644-2021

Date of decision : 07.01.2022

RAVINDER SINGH @ RAVI

..... Petitioner

VERSUS

STATE OF PUNJAB

..... Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present :- Mr. Vipin Mahajan, Advocate
for the petitioner in CWP No.37747 of 2020.

Mr. Bikramjit Singh Bajwa, Advocate
for the petitioner in CWP No.13644 of 2021.

Mr. Sandeep Singh Deol, DAG, Punjab.

Mr. Anil Chawla, Advocate
for the complainant.

(Through video conferencing)

Harsimran Singh Sethi, J. (Oral)

The present petitions, the details of which have been given in the heading, are being disposed of with this common order as both the petitions arise out of the same FIR No.237 dated 10.09.2020 under Section 420 IPC registered at Police Station Gate Hakima, Police District Police Commissionerate Amritsar, District Amritsar.

Learned counsel for the petitioners submits that initially, the petitioners had instructed the counsel that they are ready to compromise their

dispute with the complainant so as to return their money and had sought interim bail for arranging the money, which prayer of the petitioner was accepted by this Court and the petitioners were granted interim bail so as to arrange the amount to be returned to the complainant, which the petitioner had undertaken before this Court to pay to the complainant. Learned counsel for the petitioner further submits that the petitioners, after availing the interim bail, have not fulfilled their undertaking before this Court and have not paid the undertaken amount to the complainant.

Learned counsel for the petitioners submits that now the petitioners have started evading them as well and according to them petitioners do not have intention to fulfill the undertaking given before this Court and it seems that the petitioners have mislead this Court to secure interim bail by extending a false undertaking.

Learned counsel for the complainant submits that not even a single penny has been given to the complainant and in fact, the petitioners have misled this Court by giving a false undertaking only to secure an interim bail.

On the last date of hearing, the following order was passed by co-ordinate Bench:-

“Ld. Counsel for the petitioner seeks one last opportunity to pay up the entire amount of R8,50,000/-, as noted in the earlier order dated 11.10.2021, to the complainant till 29.12.2021.

2. In the interest of justice, such opportunity is granted to the petitioner, subject to the condition that on his failure to do so, he shall surrender himself before the Jail Authorities on the morning of 30.12.2021, failing which, the present petition is liable to be dismissed outright by the Court on the next date.

3. Adjourned to 07.01.2022.

4. Interim order to continue in the meantime.”

Learned counsel for the petitioners submits that as the petitioners have violated their undertaking and have not even complied with the order passed by the co-ordinate Bench of this Court dated 15.12.2021 so as to surrender before the jail authorities by 30.12.2021, they do not press this petition any further keeping in view the said conduct of the petitioners and the same may kindly be disposed of as such.

Ordered accordingly.

The jail authorities are directed to immediately initiate the process for securing the custody of the petitioners and compliance report be sent to this Court within a period of four weeks.

All the pending applications are accordingly disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

07.01.2022
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Whether speaking/reasoned	Yes
Whether Reportable :	No