

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

205

CRM-M-52163-2021 (O&M)

Date of Decision: 19.05.2022

AMIT TYAGI AND ORS

... Petitioners

Versus

STATE OF HARYANA AND ANOTHER

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: None for the petitioners.

Mr. Ashok Singh Chaudhary Addl. AG Haryana.

Mr. Ravi Malik, Advocate for
Mr. Mohan Singh Rana, Advocate
for respondent No.2.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioners seek anticipatory bail in case bearing complaint No.NACT/1664/2020 filed under Sections 138 and 142 of the NI Act, 1881, pending before the Court of learned Judicial Magistrate, 1st Class, Panipat.

Even on the 2nd call, there is no representation on behalf of the petitioners today.

On 14.12.2021, on an undertaking given by the learned counsel for the petitioners that the petitioners would pay a sum of Rs.3,50,000/- to respondent No.2, they were directed to surrender before the learned trial Court/duty Magistrate and on their doing so, the trial Court/Duty Magistrate was directed to release them on bail subject to their furnishing bail/surety bonds to its satisfaction and further subject to the payment of Rs.3,50,000/- to respondent No.2 by way of a demand draft.

On 22.04.2022, learned counsel for respondent No.2 specifically stated that in compliance of the order dated 14.12.2021, the petitioners had not made the payment of Rs.3,50,000/- to respondent No.2 and accordingly, the case was adjourned to 12.05.2022 to make compliance of the order dated 14.12.2021 passed by this Court.

On 12.05.2022, learned counsel for respondent No.2 again stated that the petitioners had not made the payment in terms of the orders passed by this Court.

The situation is the same today as well.

The petitioners have availed sufficient opportunities to make payment of Rs.3,50,000/-, as was undertaken by him on 14.12.2021.

It may be noticed that the petitioners themselves had undertaken to pay the aforesaid amount. However, the fact remains that the petitioners despite having availed of umpteen number of opportunities, have failed to pay the said amount. The petitioners cannot be granted a leverage to enjoy their liberty at the cost of violation of the orders passed by this Court.

In view of the above, this Court finds no justification to grant any further indulgence to the petitioners.

Dismissed.

19.05.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>