

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

CRM-M-49813-2019

Date of Decision: 8th February, 2022

Sandeep Kumar Sharma @ Sandeep

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Amandeep Vashisth, Advocate,
for the petitioner.

Mr. V.G. Jauhar, Sr. Deputy Advocate General, Punjab.

AVNEESH JHINGAN, J. (Oral)

1. Due to COVID-19 situation, the Court is convened through video conference.
2. This petition is filed for grant of regular bail to the petitioner in FIR No. 223, dated 18th September, 2017, under Sections 420, 120-B, 465, 467, 468 and 471 IPC, registered at Police Station Model Town, Ludhiana.
3. The petitioner was released on interim bail, vide order dated 2nd December, 2019, which reads as under:-

“ The petitioner had earlier filed CRM-M-8972-2018 before this Court seeking anticipatory bail. When the case came up for hearing on 1.3.2018, the learned counsel for petitioner fairly admitted his liability of Rs. 11,00,000/-. He stated that he would pay the amount in monthly installments. Rs. 2,00,000/- were paid on that very day. Thereafter, a total

amount of Rs. 5,00,000/- was paid to complainant. However, as petitioner fail to make the payment as agreed and defaulted in that regard, his anticipatory bail was dismissed.

The petitioner was thereafter taken into custody on 20.8.2019. He has now filed present petition seeking regular bail. He states that the earlier default of the petitioner in making the payment as agreed was because of circumstances beyond his control. He states that the petitioner is still admitting his liability and undertakes to pay the entire outstanding to the complainant.

The learned counsel for petitioner has handed over Rs. 1,50,000/- in cash to learned counsel for respondent No. 2-complainant in Court today. He states that petitioner would definitely pay the remaining amount of Rs. 4,50,000/- to complainant within next 2 months.

Adjourned to 31.3.2020.

Meanwhile, petitioner is directed to be released on interim bail on his furnishing bail and surety bonds to the satisfaction of trial Court/Duty Magistrate concerned.”

3. Considering the conduct of the petitioner that inspite of making statement before this Court and after availing interim bail, he took a U-turn stating that he will not comply with the undertaking given before the Court, the interim bail granted was cancelled.
4. Learned State counsel submits that the petitioner is absconding

and non-bailable warrants have been issued.

5. Considering the conduct of the petitioner, no case is made out for grant of regular bail.

6. Petition is dismissed.

7. However, learned State counsel shall file status report in the Registry of this Court as soon as the petitioner is apprehended.

(AVNEESH JHINGAN)
JUDGE

8th February, 2022

P Kapoor

Whether Speaking/Reasoned: **YES/NO**

Whether Reportable: **YES/NO**