

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

207

CRM-M-4465-2023 (O&M)

Date of decision: 01.08.2023

Mukesh

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ashit Malik, Advocate
for the petitioner.

Ms. Trishanjali Sharma, DAG, Haryana.

None for respondent No.2-complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.805 dated 11.12.2022 under Sections 406, 420 and 120-B of the Indian Penal Code, 1860, registered at Police Station krishna Gate Thanesar, District Kurukshetra.

2. On 27.03.2023, while noticing the following submissions made by the learned counsel for the petitioner, a Coordinate Bench of this Court, had granted the concession of interim bail to the petitioner and asked her to join investigation:-

“Learned counsel for the petitioner submits that to show his bona fide, out of the total amount of Rs. 2.5 lacs, petitioner has already paid Rs. 1,00,000/- to the complainant and he is also ready to pay the remaining amount of Rs. 1.5 lacs, but the same is not acceptable to the complainant.”

3. Learned counsel for the petitioner submits that in compliance of order dated 27.03.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions, does not dispute the submissions made by counsel opposite, however, she has opposed the prayer for extending the concession of anticipatory bail to the petitioner. She, on instructions, has informed the Court that during the pendency of the interim bail granted to the petitioner by this Court vide order dated 27.03.2023, 02 more criminal cases had been registered against her. Learned State counsel, on further instructions, submits that as on date there are 04 criminal cases registered against the petitioner.

5. In the facts and circumstances as enumerated hereinabove, this Court is not inclined to make the order dated 27.03.2023 absolute as it is evident that the petitioner has misused the concession of interim bail which was granted to her.

6. Accordingly, the instant petition is dismissed.

7. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

01.08.2023

(MANJARI NEHRU KAUL)

Vinay

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No