

207 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-43730-2022
Date of Decision: 24.01.2023

NASIB KUMAR

... PETITIONER

V/S

STATE OF HARYANA

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Munish Behl, Advocate for the petitioner.

Mr. Ranvir Singh Arya, Addl. AG Haryana.

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VIVEK PURI, J. (ORAL)

On 22.09.2022, following order was passed:

“Apprehending his arrest in FIR No. 184 dated 30.07.2022 for offences punishable under Sections 406, 420, 506 IPC, 1860 registered at Police Station Sadhaura, District Yamuna Nagar, the petitioner has preferred this petition under Section 438 Cr.P.C seeking pre-arrest bail.

Learned counsel for the petitioner inter alia contends that the FIR has been lodged after considerable delay. He submits that so far as the amount which has been transferred in the account is concerned, the petitioner in order to show his bonafides is ready to deposit the same i.e. Rs. 1 lac. He further submits that the matter is purely of civil nature and the same relates to the money transfer which has been given colour of a criminal dispute.

Notice of motion.

On the asking of the Court Mr. Sumit Jain, Addl.AG, Haryana. who is present in Court accepts notice.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal and surety bonds to the satisfaction of the Arresting Officer/Investigating Officer subject to his depositing Rs.1 lac with the Court of JMIC., Jagadhari. Disbursal of the same

shall be subject to further orders passed in the matter. As and when called, the petitioner shall join the investigation. He shall abide by the conditions enumerated under Section 438(2) of the Cr.P.C.

To come up on 11.01.2023.”

Learned counsel for the petitioner contends that in pursuance of the aforesaid order, the amount of Rs. 1 Lakh has not been deposited.

Learned State counsel also states that the petitioner has not yet joined the investigation despite the fact that interim protection was granted as back as on 22.09.2022.

Keeping in view the fact that the amount of Rs. 1 Lakh, as undertaken by the petitioner, while getting interim protection has not been deposited and furthermore, he has not joined the investigation in pursuance of the interim directions, the petitioner is not entitled to any extra-ordinary relief of anticipatory bail.

Dismissed.

24.01.2023

Janki

**(VIVEK PURI)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No