

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

. 2023:PHHC:088420

**CRM-M- No. 53559 of 2022
Date of decision : July 13, 2023**

Rajwinder Singh Rathore

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :-Mr. Dinesh Nagar, Advocate
for the petitioners

Mr. Gaurav Bansal, DAG, Haryana.

Mr. P. S. Chahal, Advocate
for the complainant.

PANKAJ JAIN, J. (ORAL)

On 06.02.2023 the following order was passed:-

“The petitioner has filed the present petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.262 dated 01.06.2022 registered under Sections 406, 420 and 506 of the Indian Penal Code, 1860 at Police Station Ambala City, District Ambala.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. Even otherwise, the petitioner is ready to settle the matter with the complainant. To prove his bonafides the petitioner is ready to deposit 50% of the amount of Rs.35,00,000/-. The petitioner is already ready and willing to join the investigation.

Adjourned to 29.04.2023.

The petitioner, as per his offer, shall deposit an amount of Rs.17,50,000/- before the trial Court within a period of 15 days from today, which shall be got invested in FDR in some Nationalized Bank. The trial Court/Illaq Magistrate shall, however, issue specific directions to the Bank concerned not to entertain any request for enchashment of the same except under

orders of the Court. In case, the petitioner is ultimately found guilty and convicted and such conviction attains finality, the complainant shall be entitled to proceeds of said FDR. However, in case the petitioner is found innocent and such acquittal attains finality, the petitioner shall be entitled to proceeds of the said FDR along with interest.

In the meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating Officer. However, the petitioner shall join investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as specified under Section 438(2) of the Cr.P.C.

It is, however, made clear that in case the aforesaid amount is not deposited within the stipulated period of 15 days, the aforesaid order qua grant of interim bail shall be deemed to have been recalled.”

On 24.05.2023, learned counsel for the petitioner sought time to comply with the order dated 06.02.2023.

Today, learned counsel for the State on instructions from ASI Jai Kumar submits that the petitioner has failed to comply with the order dated 06.02.2023.

Learned counsel for the petitioner is not in a position to dispute the aforesaid fact.

In view of the above, the present petition stands dismissed.

**(PANKAJ JAIN)
JUDGE**

**July 13, 2023
archana**

Whether speaking/reasoned	Yes
Whether Reportable :	No