

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

105

CRM-M-1724-2024

Date of Decision: 12.01.2024

BALWINDER KUMAR

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present:- Ms. Sukhveer Kaur, Advocate, for the petitioner.

Mr. Siddharth Attri, AAG, Punjab.

ALOK JAIN, J. (Oral)

1. The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.0071 dated 16.04.2022 (Annexure P-1) registered under Section 420 IPC at Police Station City Gurdaspur, District Gurdaspur.

2. Learned counsel for the petitioner has argued that the complainant himself deposited the amount in the name of one Sumit, the same was done at his behest.

3. A perusal of the paper-book demonstrates that the matter has been compromised, as the petitioner admitted his mistake and had executed a compromise deed also. More so, the said compromise already stands partially effected, whereby the petitioner had paid a sum of Rs. 50,000/- and the remaining payment had to be made in monthly installments of Rs.30,000/- starting from 20.09.2022 till 20.02.2023, however, this portion of the agreement was not complied with and since the compromise was the basis of granting the bail to the petitioner, the complainant filed an

appropriate application for cancellation of bail. Even during the said period, the petitioner did not make any effort to honor his commitment and avoided the process of law and despite service, he chose to abscond from the process of law.

4. In the background of the act and conduct of the petitioner, whereby, he willfully violated the concession and did not abide by the conditions, I do not find any merit to grant extraordinary concession of anticipatory bail to the petitioner and the same stands dismissed, at this stage.

January 12, 2024
Mohit Bishnoi

(ALOK JAIN)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No