



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

CRM-M-6915-2024

Date of Decision : 22.05.2024

KARAN SINGH AND ANOTHER

.....Petitioners

VERSUS

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Arnav Ghai, Advocate,
for the petitioners.

Mr. Abhinash Jain, DAG, Haryana.

Mr. Padamkant Dwivedi, Advocate,
for the complainant.

KULDEEP TIWARI, J.(Oral)

1. Through the instant petition, as instituted under Section 438 of the Cr.P.C., the petitioner has sought the concession of anticipatory bail, in case FIR No.227, dated 14.11.2023, under Sections 420, 406 and 409 of the IPC, registered at Police Station Sadar Jagadhri, Yamunanagar.
2. On 09.02.2024, a co-ordinate Bench of this Court passed the following order granting interim protection to the present petitioner:-

“The petitioners seek grant of anticipatory bail in respect of a case registered vide FIR No.227, dated 14.11.2023 at Police Station Sadar Jagadhri (Yamuna Nagar), under Sections 420, 406 and 409 of Indian Penal Code.

Today, at the very outset, learned counsel for the petitioners submitted that it is a case where the petitioners had already milled about 53% of the custom milled rice and that his clients shall make all efforts to deliver the remaining custom

milled rice as well within the shortest possible time provided the sheller, which has presently been sealed by Haryana State Warehousing Corporation (HSWC), is de-sealed. It has further been submitted that the petitioners, in order to prove their bona fides, shall deposit an amount of Rs.1 crore by way of demand draft favouring Haryana State Warehousing Corporation.

Notice of motion for 22.2.2024.

At this stage, Mr. Ramender Singh Chauhan, Asst. Advocate General, Haryana, upon whom an advance copy of petition had already been served, accepts notice on behalf of the respondent-State.

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

The State to seek instructions with regard to the offer made by the petitioners.”

3. What surfaced from the perusal of the above order, is that the the petitioners had offered to deposit Rs.1.00 crore by way of demand draft drawn in favour of complainant-Haryana State Warehousing Corporation (HSWC), and also ensured that in the shortest possible time they will provide the remaining custom milled rice and on the said assurance, the petitioners were extended the relief of interim bail vide order (*supra*).
4. However, on 14.03.2024, it was informed to the Court that the petitioners have neither deposited the aforesaid amount of Rs.1.00 crores in compliance of the order (*supra*) nor the petitioners are operating the mill. Consequently, the co-ordinate bench, withdrew the interim protection granted to the petitioner vide order (*supra*).
5. Today, learned counsel for the petitioners submits that he does not have any instructions from the petitioners.

6. Further, learned State counsel assisted by counsel for the complainant-HSWC, submits that the petitioners have not complied with the undertaking given by them vide order 09.02.2024.

7. Considering the conduct the petitioners that they earlier woven a web to secure interim relief and given undertaking before the Court with having intention not to comply with that, this Court refrain to exercise its powers to grant pre-arrest bail to the present petitioners.

8. Therefore, the instant petition is ordered to be **dismissed**, with costs of Rs.10,000/- to be deposited with the District Legal Services Authority concerned.

May 22, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No