

SANJEEV KUMAR

Versus

STATE OF PUNJAB

Petitioner

Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: None for the petitioner.
Mr. Kewal Singh, Addl. A.G. Punjab.
Mr. Prince Pushpinder Rana, Advocate for the complainant

HARKESH MANUJA, J. (ORAL)

By way of present petition filed under section 438 CrPC, prayer has been made for grant of anticipatory bail to the petitioner in case bearing FIR No. 108 dated 11.12.2022 registered under Sections 406 and 420 of IPC at P.S. Nurmahal, District Jalandhar.

At the time of issuing notice of motion on 12.04.2023, this Court passed the following order:-

“Learned counsel for the petitioner inter-alia contends that the petitioner has been falsely implicated in this case; the petitioner has no other criminal antecedents; arrest of co-accused Sukhjinder Singh Dhanjal has been stayed by this Court; only to show his bona fides subject to the outcome of the criminal proceedings in question, the petitioner is ready to pay to the complainant an amount of Rs.6 lakhs and that the petitioner is also ready and willing to join and cooperate with the investigation.

Notice of motion.

Mr. Arun Luthra, DAG, Punjab, accepts notice on behalf of the respondent-State.

Adjourned to 02.05.2023.

Till the adjourned date, the petitioner's arrest is stayed.

Before the adjourned date, the State shall file a status report on the consideration of which further orders shall be passed.

The petitioner shall also move an appropriate application to implead the complainant before the adjourned date.

To be heard alongwith CRM-M-4760-2023.”

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CRM-M-17131-2023 (O&M)

Thereafter on 06.09.2023, this Court passed the following order:-

“Learned counsel for the petitioner-Sanjeev Kumar has handed over three cheques amounting to Rs.6 lakh (Rs.2 lakh each) to the learned counsel for the complainant to discharge the liability. Photocopies of the cheques are taken on record.

Learned counsel for the petitioner-Sukhjinder Singh Dhanjal has instructions that in case a week's time is granted, he is ready to bring a demand draft of Rs.2 lakh.

Adjourned to 26.09.2023.

Interim order to continue only till the next date of hearing.

Photocopy of this order be placed on the connected file.”

Later on 26.02.2024, the following order was passed:-

“Mr. Prince Pushpinder Rana, Advocate has appeared on behalf of the complainant and filed his vakalatnama after obtaining no objection from the previous counsel.

On 06.09.2023, this Court passed the following order:-

“Learned counsel for the petitioner-Sanjeev Kumar has handed over three cheques amounting to Rs.6 lakh (Rs.2 lakh each) to the learned counsel for the complainant to discharge the liability. Photocopies of the cheques are taken on record.

Learned counsel for the petitioner-Sukhjinder Singh Dhanjal has instructions that in case a week's time is granted, he is ready to bring a demand draft of Rs.2 lakh.

Adjourned to 26.09.2023.

Interim order to continue only till the next date of hearing.

Photocopy of this order be placed on the connected file.”

In pursuance thereof, three cheques amounting to Rs.2 lakhs each (total Rs.6 lakhs) handed over by the petitioner to the complainant were dishonoured on presentation.

Today, the matter has been called thrice, however, no one has chosen to appear on behalf of the petitioner.

Considering the conduct of the petitioner, the interim relief granted in his favour vide order dated 12.07.2023, is hereby vacated.

Adjourned to 03.04.2023.”

A perusal of the record shows that the notice of motion was passed in the present case on the contention for deposit of Rs.6,00,000/-, however, almost one year has gone by, the petitioner has failed to honour the said contention. On the last two dates of hearing, no one appeared on behalf of the petitioner. The position remains the same today as well. Besides the conduct of the petitioner, his non-appearance as well reflects that the petitioner is not interested in pursuing the present petition, thus the present petition stands dismissed.

03.04.2024
Tejwinder

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>