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

CRM-M-33970-2023**Date of Decision:28.04.2025**

Ashwani Kumar

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Neeraj Goel, Advocate
for the petitioner.

Mr. Rajinder Kumar Banku, Deputy Advocate General, Haryana.

Mr. Davinder Singh, Advocate
for the complainant.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 438 of Cr.P.C. with a prayer to grant anticipatory bail to him in case FIR No.316 dated 01.07.2023, registered under Sections 406 & 420 of IPC (later on added Section 506 IPC) at Police Station Baldev Nagar, Ambala (Haryana).

2. While granting the concession of interim anticipatory bail on 31.08.2023, this Court had noticed the following contentions made by learned counsel for the petitioner:-

“Counsel for the petitioner has placed on record a Xerox copy of Account Ledger of Axis Bank to submit that an amount of Rs.1 lac has been electronically transferred in the account of complainant's wife, Sushma Rani. He submits that the allegation against the petitioner is of duping the complainant of Rs.5.70 lacs, out of which in terms of a settlement, petitioner has paid an

amount of Rs.2.70 lacs by bank transfer, besides the amount paid now. Counsel submits that the petitioner is prepared to settle the matter with the complainant and has requested that the parties be referred to the Mediation and Conciliation Centre of this Court.”

3. Thereafter, with the consent of the parties, the matter was referred to Mediation and Conciliation Centre of this Court. After the matter was referred to Mediation and Conciliation Centre of this Court, the petitioner could not appear as he was arrested in some other case and he could not join the proceedings. However, the interim bail order in the present case was ordered to be continued by this Court from time to time.

4. On 07.11.2024, again the petitioner made a statement that he could not make arrangement of the balance amount, out of the agreed amount as he was arrested in some other case. Consequently, he prayed for an adjournment to pay the remaining amount and the case was adjourned to 22.04.2025.

5. On 22.04.2025, again the following order was passed by this Court:-

“Learned counsel for the petitioner prays for one last and final opportunity to comply with the order dated 17.07.2023 passed by this Court and the prayer is accepted.

Adjourned to 28.04.2025.

Interim order to continue.

It is made clear that in case, the remaining amount is not paid by the petitioner on the adjourned date, the present petition shall be solely dismissed only on this ground. ”

6. Today, learned counsel for the petitioner submits that he has no instructions in the matter. Thus, it is apparent that the petitioner has scant

regards for various orders passed by this Court. At the same time, the petitioner has not even fulfilled the commitment, which was made by him, while availing the benefit of interim anticipatory bail on 31.08.2023.

7. As a consequence, the present petition is ordered to be dismissed.

28.04.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No