

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

C.R.M-M No.20105 of 2015

Date of Decision : 22.09.2015

Jasbir @ Jassi

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Ms. Arti Bansal, Advocate
for the petitioner.

Ms. Tanushree Gupta, D.A.G., Haryana.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

This is a petition under Section 438 Cr.P.C. for grant of pre-arrest bail to the petitioner in case FIR No.109 dated 09.11.2014 registered under Sections 25, 54 of the Arms Act at P.S. Baheen, District Palwal.

On 23.06.2015 the following order was passed:-

“It is the prosecution case itself that on seeing the police party the petitioner had run away after throwing the pistol at the spot and the said pistol was recovered by the police thereafter.

Adjourned to 24.7.2015.

In the meantime, the petitioner shall appear before the Investigating Officer on 1.7.2015 at 11.00 a.m. and join the

investigation. In the event of his arrest, he be admitted to interim bail by the Investigating Officer/Arresting Officer to his satisfaction. He shall, however, abide by all the conditions as envisaged by Section 438(2) Cr.P.C.”

Thereafter on 24.07.2015 the following order was passed:-

“Learned counsel for the petitioner submits that the petitioner could not join the investigation and seeks one more opportunity enabling the petitioner to join the investigation.

Adjourned to 20.08.2015.

Petitioner is directed to appear before the investigating officer and join the investigation.

Interim order to continue.”

Thereafter on 20.08.2015 the following order was passed:-

“Learned counsel for the petitioner states that due to unavoidable circumstances the petitioner could not join the investigation and seeks last opportunity.

Adjourned to 22.09.2015.”

Even today the learned Deputy Advocate General on instructions from H.C. Jasmer Singh states that the petitioner has not joined the investigation.

Learned counsel for the petitioner is not in a position to contradict this factual assertion.

In the circumstances, the petition is dismissed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

September 22, 2015

**(AJAY TEWARI)
JUDGE**