

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

CRM-M-36381-2015

Date of decision: 21.12.2015

Vineet Soni

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. S.K. Arya, Advocate
for the petitioner.

Mr. Kapil Aggarwal, Addl. AG, Haryana.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioner seeks pre-arrest bail in FIR No.186 dated 12.03.2015 under Sections 420, 406, 120-B IPC, registered at Police Station Camp Palwal, District Palwal.

Notice of motion was issued and interim protection was granted.

Learned counsel for the petitioner submits that petitioner has joined the investigation and he is no more required for the purpose of any further investigation. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from ASI Mahesh Kumar, Police Station Camp Palwal, submits that although petitioner initially joined the investigation on 24.10.2015 but in compliance of the order dated 14.12.2015 passed by this Court, petitioner was directed to join the investigation on 17.12.2015 but he failed to do so. Although petitioner came to the police station and contacted the investigating officer who requested the petitioner to come along with the order passed by this

Court. However, petitioner never returned thereafter to join the investigation. In this view of the matter, petitioner has misconducted himself leaving him disentitled for any kind of indulgence at the hands of this Court. He prays for dismissal of the present petition.

After hearing the learned counsel for the parties and going through the record of the case, this Court is of the considered opinion that owing to his conduct, petitioner has not been found entitled for the concession of anticipatory bail at the hands of this Court. It is so said because in spite of granting specific opportunity to the petitioner with a direction to him to join the investigation on 17.12.2015 and cooperate with the investigating agency, petitioner has miserably failed to comply with the order passed by this Court. In view of the conduct of the petitioner, this Court is of the view that he has been trying to misuse the concession of interim anticipatory bail granted by this Court, while playing smart with the investigating agency as well as this Court.

In view of the above and without commenting anything further on merits at this stage, lest it should prejudice the rights of either of the parties, this Court is of the considered view that in such a situation, custodial interrogation of the petitioner would be the compulsive necessity of the investigating agency, so as to conduct an effective investigation.

No case for anticipatory bail has been made out.

Dismissed.

[RAMESHWAR SINGH MALIK]
JUDGE

21.12.2015
vishnu