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

CRM-9707-2015 in

CRM-M-3794-2015

Date of decision: 25.03.2015

Johny @ Sukhdev Singh Abrol

... Applicant-petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. V.S. Anand, Advocate
for the applicant-petitioner.

Ms. Anmol Grewal, AAG, Punjab.

Mr. Gurpal Singh Sandhu, Advocate
for the complainant.

RAMESHWAR SINGH MALIK, J. (ORAL)

CRM-9707-2015

Applicant-petitioner seeks permission of the Court to add Section 452 IPC in the Head Note as well as prayer clause of the petition as the said Section came to be added in the impugned FIR, during the pendency of the present petition.

Notice of the application to the counsel opposite.

Learned counsel for the State as well as learned counsel for the complainant accept notice and fairly state that they had got no objection in case, present application is allowed.

In view of the above, instant application is allowed as prayed for. Amended petition is permitted to place on record.

Application stands disposed of.

CRM-M-3794-2015

Petitioner seeks pre-arrest bail in FIR No.19 dated 16.01.2015 under Sections 448, 427, 506 IPC and 25/27/54 of Arms Act, registered at Police Station City Ferozepur, District Ferozepur.

Notice of motion was issued vide order dated 06.02.2015 and later on, vide order dated 13.02.2015, petitioner was granted interim protection directing him to join investigation on 21.02.2015.

Learned counsel for the State, on instructions from ASI Balwinder Singh, Police Station City Ferozepur, submits that in compliance of order dated 13.02.2015 passed by this Court, petitioner did not join the investigation and have misused the concession granted by this Court. He further submits that petitioner has been found indulged in two more FIRs out of which one was under Section 302 IPC. Although the petitioner was on bail in those cases but in the present case, he has misused the process of law while not joining the investigation on 21.02.2015. She prays for dismissal of the petition. Faced with the above, learned counsel for the petitioner submits that petitioner could not join the investigation on 21.02.2015 because in the meantime Section 452 IPC has been added and the Investigating Officer insisted that he must get the order from this Court qua offence under Section 452 IPC as well. He further submits that petitioner is ready and willing to join the investigation as and when required. He prays for allowing the present petition.

Having heard learned counsel for the parties at considerable length, after careful perusal of record of the case and giving thoughtful consideration to the rival contentions, this Court is of the considered view that present one has not been found a fit case for anticipatory bail. It is so

said because petitioner did not join the investigation on 21.02.2015 as directed by this Court vide order dated 13.02.2015.

Learned counsel for the petitioner could not give any reasonable explanation for non-joining the petitioner in the investigation and rightly so because it is a matter of record.

Without commenting any further regarding claims and counter-claims of both the parties about the purchase of the same house by both the parties, lest it should be prejudice to either of the parties, no case for anticipatory bail is made out.

Present petition is dismissed.

**[RAMESHWAR SINGH MALIK]
JUDGE**

25.03.2015
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