

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

***CRM No.M-19805 of 2016 (O&M)
Date of decision : 02.06.2016***

Kasim Ali

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Rakesh Gupta, Advocate for the petitioner.

.....

TEJINDER SINGH DHINDSA, J.

The present petition has been filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.9 dated 13.01.2016, under Sections 406/506/34 IPC, registered at Police Station Old Faridabad, District Faridabad.

Counsel for the petitioner has been heard.

Perusal of the order dated 30.04.2016 passed by the learned Additional Sessions Judge, Faridabad declining anticipatory bail to the petitioner would reveal that the petitioner had been granted ad interim protection as regards arrest subject to his joining investigation. However, reply had been filed before the Court by the prosecution that the petitioner/accused had failed to join investigation. It has further been observed that justification for such conduct was being offered by taking a stand that the petitioner had been admitted in hospital. The requisite documents i.e. discharge slip etc. were also perused by the Court below to form an opinion that the date of admission of the petitioner was on 29.04.2016 and date of discharge was 30.04.2016 whereas he had been called upon to join investigation on 25.04.2016.

Such observations made by the Court below have not met with any rebuttal by the counsel for the petitioner during the course of hearing today.

Conduct of the petitioner dis-entitles him from the concession of pre-arrest bail.

Petition is dismissed.

02.06.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**