

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-26573 of 2017 (O&M)

Date of decision : 16.8.2017

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Parminder Kaur

.....Petitioner

vs.

State of Punjab

.....Respondent

**Coram: Hon'ble Mr. Justice H. S. Madaan**

Present: Mr. Gaurav Chopra, Advocate for the petitioner.

Mr. K.S. Aulakh, Deputy Advocate General, Punjab.

Mr. Ankur Mittal, Advocate for the complainant.

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**H. S. Madaan, J.**

Mr. Ankur Mittal, Advocate has appeared on behalf of the complainant – Balwinder Kaur by filing vakalatnama, which be taken on record.

Learned State counsel submitted that despite specific direction the petitioner has not joined the investigation and has not complied with order regarding surrendering of passport.

Learned counsel for the petitioner concedes so, stating that it was for the reason that another FIR had been registered against the petitioner in which she apprehended her arrest. Therefore, she could not comply with the direction, though she is ready to comply with it now.

Pre-arrest bail is a discretionary relief, which is to be granted

not in routine but in exceptional circumstances, after considering all facts and circumstances. Interim bail had been granted to the petitioner vide order dated 26.7.2017 to enable her to join the investigation and to render cooperation therein within 5 days from the date of order, but she has obviously flouted that direction. In case she had any difficulty she could have approached this court explaining all facts and circumstances, seeking extension of time to join investigation or for that matter satisfactorily explaining inability to comply with the order. The petitioner kept quiet and did not take recourse to that. There is absolutely no justification for her failure to comply with the directions. The petition is doomed for failure for that very reason and is dismissed accordingly.

**( H.S. Madaan )**  
**Judge**

**16.8.2017**

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Whether speaking / reasoned                      Yes / No

Whether reportable                                      Yes / No