

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-11969-2017

Date of decision: 09.10.2018

Pardeep Singh @ Happy

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Harkaran Singh, Advocate for
Mr. B.S. Bhalla, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of anticipatory bail in FIR
No.237 dated 09.10.2016 under Sections 379-B/201 IPC, registered at
Police Station Cantonment Amritsar, District Amritsar.

On 05.05.2017, following order was passed: -

“Adjourned to 22.05.2017.

*In the meanwhile, in the event of arrest, petitioner shall
be released on ad-interim anticipatory bail in FIR No.237
dated 09.10.2016 registered under Sections 379-B and 201 of
Indian Penal Code, at Police Station Cantonment Amritsar,
District Amritsar, on furnishing of his bail bond amounting of*

Rs.10,000/- with one surety of like amount to the satisfaction of the arresting officer. He shall, however, join the investigation and fully cooperate with the investigating officer.”

Thereafter, on 12.10.2017, while recalling the aforesaid order, following observations were made by this Court: -

“In spite of repeated pass overs none appeared for the petitioner. It has been brought to the notice of the Court by the State counsel on instructions from ASI Avtar Singh from Police Station Contonment Amritsar, District Amritsar that the petitioner is a habitual offender and other cases under Section 379 IPC etc. have been registered against him.

In view of the aforesaid position and intentional insolence of petitioner’s side, the order dated 05.5.2017 passed by this Court granting interim relief to the petitioner is recalled and necessary intimation be sent to the Court below to proceed with the trial as per law.

State to file status report regarding the criminal background of the petitioner by the next date of hearing.

Adjourned to 5.3.2018.”

As per the affidavit of Assistant Commissioner of Police, West, Amritsar City filed in the Court, the petitioner is involved in two other FIRs i.e. FIR No.34 dated 15.02.2017 under Section 379-B, 411 IPC and FIR No.01 dated 03.01.2017 under Sections 379-B, 411 IPC, both registered at Police Station Cantonment, Amritsar City.

Learned State counsel, on instructions from ASI Avtar Singh, submits that the petitioner has never joined the investigation and his anticipatory bail in other FIR already stands dismissed vide order dated 07.04.2017 passed by this Court.

Considering the fact that the FIR in this case pertains to 09.10.2016 and the petitioner has not joined the investigation, even when the order dated 05.05.2017 was in vogue till 12.10.2017, therefore, considering the antecedents of the petitioner, no ground for grant of anticipatory bail to the petitioner is made out.

Dismissed.

[ARVIND SINGH SANGWAN]
JUDGE

09.10.2018
vishnu

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No