

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

Crl. Misc. M-4324 of 2017 (O&M)
Date of Decision: October 23, 2018

Saravjeet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- None for the petitioner.

Mr. Ajay Pal Singh Gill, DAG Punjab.

Mr. Arshdeep Singh Brar, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

This is a petition that has been filed under Section 438 Cr.P.C.
for grant of anticipatory bail to the petitioner in FIR No.105 dated
29.10.2015 registered under Sections 406, 498-A of Indian Penal Code at
Police Station Badhni Kalan, District Moga.

Notice of motion had been issued in the said matter and by an
interim order dated 09.02.2017, arrest of the petitioner was stayed, if he
came to India. On 22.08.2017, the petitioner was directed to join the
investigation and the matter was listed for 29.08.2017. On 29.08.2017, this

court was informed that the petitioner had deposited his passport with the Investigating Officer, ASI Sewak Singh. At the same time, he had made an offer to transfer 09 kanals of land situated in Village Lohara, District Moga in the name of the minor child. He was once again directed to join the investigation. During the pendency of the petition, an application was preferred asking for the passport to be released to him, as it was likely to expire. By the interim order dated 09.07.2018, passport of the petitioner was released with the explicit direction that the petitioner would not leave India, without approaching the court and seeking necessary direction in that regard.

On 27.09.2018, learned counsel for the complainant informed the court that despite explicit direction that the petitioner would not leave India, he had gone abroad. This fact was denied by the counsel for the petitioner. The petitioner was directed to be present in the court on the next date of hearing and the matter was adjourned to 28.09.2018. On the adjourned date, since the counsel for the petitioner was not present, the matter was adjourned to 23.10.2018.

Today, this matter has been called twice, however, there is no appearance on behalf of counsel for the petitioner.

Learned counsel for the respondent-State, on instructions from ASI Darshan Singh, submits that the petitioner is not available at his known address.

In view of the fact that there is no appearance on behalf of the petitioner either through counsel or in person, as directed, it appears that the petitioner herein has left the shores, despite a specific direction that he

would not leave India.

In view of the above, the petition in hand stands dismissed and the order staying his arrest stands vacated.

October 23, 2018

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(JAISHREE THAKUR)
JUDGE

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