

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-44952-2017(O&M)
Date of Decision: 19.02.2018

Gajraj

--Petitioner

Versus

State of Haryana

--Respondent

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

Present:- Mr. Sandeep Lather, Advocate for the petitioner.

Mr. Ashish Yadav, Addl. A.G., Haryana.

TEJINDER SINGH DHINDSA.J (Oral)

Instant petition has been filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case F.I.R. No.0074 dated 8.2.2017 under sections 147, 149, 379, 506 I.P.C (sections 148, 149, 379 and 506 I.P.C were deleted and sections 395, 397 and 201 I.P.C were added), registered at Police Station, Sohna, District Gurugram.

On 15.12.2017, the following order was passed by this Court:-

“The petitioner is seeking anticipatory bail in FIR No. 0074 dated 08.02.2017 under Sections 147/149/379/506 IPC (Sections 148/149/379/506 IPC deleted later on and Sections 395/397/201 IPC added) registered at Police Station Sohna, District Gurugram.

Learned counsel for the petitioner contends that petitioner is not named in the FIR and he has been arraigned as an accused, as co-accused Giri Raj had disclosed the name of Parveen, who further disclosed the name of petitioner as one of the persons who had beaten up the complainant and looted a sum of `20,000/- along with one mobile phone.

Learned counsel further contends that petitioner had earlier been falsely implicated in another FIR and when he

moved an application for grant of anticipatory bail, the Investigating Officer had made a statement that he is not wanted in that FIR.

List on 24.01.2018.

In the meantime, petitioner is directed to appear before the Investigating Officer and join the investigation.

In the event of arrest, the Investigating/Arresting Officer shall release the petitioner on ad-interim bail subject to his/her satisfaction. The petitioner shall join investigation as and when called upon to do so and shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

Thereafter the petition was taken up on 24.1.2018 and Court was apprised that the petitioner has not joined investigation. Accordingly, the matter was adjourned to today and in the meanwhile petitioner was directed to appear before the I.O on 29.1.2018 at 11 A.M.

Learned State counsel upon instructions from ASI Hari Singh apprises the Court that the petitioner has chosen not to join investigation.

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

Petition is dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

19.02.2018

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No