

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-6937-2017 &
CRM-M-13834-2017
Date of Decision:08.03.2018

Amandeep Kumar @ Aman KambojPetitioner

Vs.

State of Punjab and another ...Respondents

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr. Sanjeev Manrai, Senior Advocate with
Mr. Inderjeet Singh, Advocate
for the petitioner.

Mr. J.S.Walia, Senior Deputy Advocate General, Punjab assisted
by ASI Gurnam Singh.

AMOL RATTAN SINGH, J. (Oral)

By this petition (CRM-M 6937 of 2017), the petitioner seeks the concession of anticipatory bail, he having been arraigned as an accused in FIR No.311 dated 06.11.2015, making out therein the commission of offences punishable under Sections 420/467/468/471/506/120-B IPC, the FIR having been registered at Police Station, City-I, Abohar, District Fazilka.

When this petition initially came up for hearing on March 2, 2017, notice was issued returnable on 15.03.2017, on which date the complainant was ordered to be impleaded as respondent no.2, with the matter adjourned to 28.03.2017, on which date on request it was adjourned to 06.04.2017.

On 06.04.2017, it had been contended by learned Senior Counsel appearing for the petitioner that the petitioner has been falsely implicated in

the FIR at the behest of Sh.Kuldeep Singh Chahal, Superintendent of Police, presently posted at Mohali, and he had also been framed in a large number of other cases, in two of which he had been admitted to bail by this Court and that pursuant to the order dated 17.10.2014, passed in CRM-M-35768-2014 by this Court, a Special Investigation Team was ordered to be constituted by the DGP, Punjab, and though the SIT had been so constituted, the aforesaid officer (Shri K.S.Chahal), had been included in the SIT.

The said officer having been impleaded as a party in the present petition as respondent no.3, he had subsequently opted out of the SIT (as recorded in the order dated 18.04.2017).

Vide the order dated 06.04.2017, the 'proposal of arresting' the petitioner, if there was any, was also ordered to be kept in abeyance till the next date of hearing.

That interim order has been continuing throughout, with adjournments having been sought for one reason or the other.

On September 19, 2017, this Court, noticing that the interim order had been continuing for about 5 months, had extended it till the next date of hearing, subject to the petitioner surrendering before the police and joining investigation within a period of 2 weeks.

On 28.11.2017, the matter was again adjourned on request of learned counsel for the petitioner, to 14.02.2018. It eventually came up for hearing on 16.02.2018, when a detailed order was passed, noticing therein the contention of learned State counsel, that though summons had been issued to the petitioner to join investigation, service could not be effected upon him he not being present at the address given in the memo of parties; though his neighbour had signed on the summons issued, to prove that summons were

actually attempted to be served upon the petitioner.

Consequently, this Court had directed the petitioner to appear before the Chairman of the Special Investigation Team, i.e. the DIG, Ferozepur Range, on 21.02.2018 upto 2:00 p.m. and had also directed that if he was not joined in the investigation by the said officer also, he (the petitioner) would appear before the learned Area Magistrate, Ferozepur, on that very date itself, who would then issue summons to the DIG to appear before the Court within a day or two, and thereafter ensure that the petitioner would be joined in the investigation, upon which if he was sought to be arrested, he would be admitted to interim bail to the satisfaction of the arresting officer/Area Magistrate, till the next date of hearing before this Court, i.e. till today.

Today, learned State counsel submits that the petitioner neither appeared to join in the investigation before the DIG, Ferozepur Range, nor infact has any summons been received from the learned Area Magistrate by the DIG, to show that the petitioner had appeared before the Area Magistrate also.

Mr.Manrai, learned Senior Counsel appearing for the petitioner, submits that the petitioner may be given one more chance to appear before the SIT, which infact he says has been reconstituted, with the DSP, Baghapurana, made the Chariman of the Investigation Team.

Having considered the above, the petitioner having been given more than sufficient time by this Court to join investigation before different officers, I find no reason to entertain this petition now, in the aforesaid circumstances.

Consequently, this petition is dismissed and all interim orders

passed stand vacated.

In the other petition 'tagged' with CRM-M 6937 of 2017, i.e. CRM-M-13834 of 2017, the same petitioner has prayed for grant of 'blanket anticipatory bail' or for the issuance of a direction to the respondents to issue 3 weeks' advance notice to him, if he is to be arrested in connection with any case already registered, or in respect of any complaint pending against him. That petition has been also adjourned from time to time, after notice was issued on May 24, 2017.

It already has been seen that the petitioner was given more than enough time to join investigation in connection with FIR no.311 dated 06.11.2015, registered against him, with him still not having joined investigation. Hence, I see no reason to entertain this petition either, now. Consequently, CRM-M-13834 of 2017, is also dismissed.

A photocopy of this order be placed on the file of the connected case.

March 08, 2018

dharamvir/dinesh

**(AMOL RATTAN SINGH)
JUDGE**

Whether speaking/reasoned : YES/NO

Whether Reportable : YES/NO