

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

**CRM No.M-48584 of 2018 (O&M)
Date of Decision: November 26, 2019**

Rajesh Kumar

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr.Shivender Sharma, Advocate for
Mr.Ashok Paul Batral, Advocate
for the petitioner.

Ms.Monika Jalota, DAG, Punjab
for the respondent-State.

HARINDER SINGH SIDHU, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.159 dated 15.06.2018 under Sections 457 and 380 IPC, registered at Police Station Dera Bassi, SAS Nagar.

Notice of motion was issued. Learned State counsel appeared and contested the petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

The FIR in the present case was registered on the complaint of one Tarlochan Kalra, who stated that he and his wife had gone to Gurgaon,

where they received information that a theft has been committed in his flat

at ATS, Dera Bassi. When he came back, he found that the locks of the main door and other rooms were broken. On checking, he found that ₹60,000/- in cash, gold and diamond jewellery have been stolen from his house. During investigation, from CCTV installed at the ATS apartments, the petitioner was identified.

Vide order dated 01.11.2018, notice of motion was issued and the petitioner was granted interim bail and directed to join the investigation. Though, the petitioner joined the investigation but he was again directed to join the investigation. Thereafter, it was observed in the order dated 27.03.2019 that petitioner joined the investigation but he was not cooperating with the investigating agency and no recovery was effected. The petitioner was again directed to join investigation but he did not join and vide order dated 08.05.2019, the interim protection granted to the petitioner was vacated.

As per learned State counsel, till today, the petitioner has not made himself available to join the investigation.

Learned counsel for the petitioner states that he has no instructions from the petitioner.

In view of the above discussion, I do not find it a fit case where petitioner is entitled to benefit of anticipatory bail.

Therefore, finding no merit in the present petition, the same is dismissed.

November 26, 2019
Vgulati

(HARINDER SINGH SIDHU)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No