

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-46303-2019

Date of Decision: 31.10.2019

PARVEZ AKHTAR

.. Petitioner

Vs.

STATE OF PUNJAB

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr.Sukhdev Singh Khokher, Advocate for the petitioner.

...

Manoj Bajaj, J. (Oral)

Petitioner Parvez Akhtar has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.79 dated 03.07.2019, registered at Police Station Phool, District Bathinda, under Section 174-A of the Indian Penal Code, 1860.

Notice of motion.

On the asking of the Court, Mr. Kirat Singh Sidhu, DAG, Punjab, accepts notice on behalf of respondent-State.

Learned counsel for the petitioner contends that vide order dated 05.09.2019, the interim concession of pre arrest bail was extended to the petitioner by learned Addl. Sessions Judge, Bathinda with a direction to join the investigation. He submits that the said concession was withdrawn on 16.09.2019 on the ground that the petitioner failed to comply with the direction of joining the investigation within the stipulated time. He submits that the petitioner had gone to join the investigation, but the Investigating Officer had refused to join her in the investigation. However, she is willing

to join the investigation and would appear before the Investigating Officer, as directed by this Court.

Let the petitioner appear before the Investigating Officer/Station House Officer on 05.11.2019 at 10 A.M and upon her appearance, the officer would associate her in the investigation or may fix an another date for the said purpose.

The order dated 16.09.2019 (Annexure P-4) is set aside and the bail application i.e. CRN No. BA/2467/2019 dated 05.09.2019, filed by the petitioner is restored and the same shall be finally decided on 13.11.2019, after hearing the parties.

It is made clear that in case, the petitioner does not appear on 05.11.2019 before the Investigating Officer/SHO, in that event, the present petition shall be deemed to be dismissed.

This petition is disposed off.

31.10.2019
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No