

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

CRM-M-11885-2020

Date of decision: 4.8.2020

Gurcharan Singh

.....Petitioner.

vs.

State of Haryana

.....Respondent.

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: - Mr. P.K. S. Phoolka, Advocate for the petitioner.

Mr. Deepak Bhardwaj, Deputy Advocate General,
Haryana.

.....

Sanjay Kumar, J. (ORAL)

The petitioner seeks anticipatory bail in relation to FIR No. 25 dated 20.1.2020 on the file of Police Station Sadar Hisar, District Hisar, registered under Sections 408 and 120-B IPC.

The petitioner was not named in the FIR but he was implicated in the offence by the co-accused.

This Court granted interim protection to the petitioner on 16.6.2020, upon being informed that the co-accused of the petitioner had been granted such relief, *vide* order dated 29.5.2020 passed in CRM-M-13269-2020, titled 'Mandeep Singh Chahal vs. State of Haryana'. This Court granted interim directions in the same terms as were issued in the said case.

Perusal of the order passed in the case of Mandeep Singh Chahal (supra), reflects that he was required to create a fixed deposit for a sum of Rs. 1.00 lakh as security, with five years validity. This deposit was to be in addition to the bail bonds/surety

that the Investigating Officer may require. This Court further directed that he should join investigation as and when called upon to do so and co-operate with the Arresting/Investigating Officer, apart from abiding by the conditions prescribed in Section 438 (2) Cr. P.C.

Needless to state, the petitioner in the present case had to abide by the aforestated conditions that were stipulated in the case of Mandeep Singh Chahal (supra).

Mr. P.K. S. Phoolka, learned counsel for the petitioner, would concede that the petitioner failed to create a fixed deposit as directed by this Court. He would state that given some more time, the petitioner would take steps in that regard.

Mr. Deepak Bhardwaj, learned Deputy Advocate General, Haryana, would however inform this Court that when this case was listed before this Court on 8.7.2020 and this very aspect was pointed out, the learned counsel for the petitioner sought an adjournment. He would further state that the petitioner joined the investigation only on 7.7.2020, i.e., one day prior to the listing of this case before this Court, and though he was issued notices under Sections 41-A and 160 Cr. P.C. on 7.7.2020 requiring him to appear on 12.7.2020, he failed to do so. Learned Deputy Advocate General would further state that the petitioner was contacted over the telephone twice and asked to join the investigation on 18.7.2020 but he did not do so.

In the light of the aforestated facts, it is clear that the petitioner did not choose to abide by the conditions attached to the interim order passed in his favour. So much so, he did not even

choose to join the investigation despite the police calling upon him to do so.

In the light of the clear and apparent lack of *bonafides* on the part of the petitioner, this Court is of the opinion that he is not entitled to further indulgence.

The petition is accordingly dismissed on this short ground. In consequence, the interim order dated 16.6.2020 shall stand vacated.

(SANJAY KUMAR)
JUDGE

4.8.2020

preeti	
whether speaking/non speaking	yes/no
whether reportable/non reportable	yes/no