

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

CRM-M No.20282 of 2020
Date of Decision: 26.10.2020

Baljinder Singh @ Ratti Baba @ Sukhwinder SinghPetitioner

Versus

State of Punjab **....Respondent**

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Kuldip Singh, Advocate,
for the petitioner.

Mr. A.S.Sandhu, Additional Advocate General, Punjab.

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TEJINDER SINGH DHINDSA.J (ORAL)

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Instant petition has been preferred under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.0127, dated 11.06.2020, under Sections 420 and 34 IPC, registered at Police Station Khuhi Khera, District Fazilka.

Petition came up for preliminary hearing before this Court on 24.07.2020 and while issuing notice of motion, the following order was passed:-

“Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Petitioner seeks concession of anticipatory bail in case FIR No.0127, dated 11.06.2020, under Sections 420/34 IPC, registered at Police Station Khuhi Khera, District Fazilka.

As per FIR registered on the statement of Sandeep Kumar, the accused/petitioner herein had taken Rs.3,15,000/- and has not returned the same.

Learned State counsel does not controvert that in the preliminary investigation conducted, a different version is coming forth as regards cheating of Rs.3,15,000/- at the hands of the present petitioner as also one Baaj Singh involving gold coins. The prayer for bail has been declined by the learned Additional Sessions Judge, Fazilka in terms of order dated 18.07.2020 in which a 3rd version has been recorded that Rs.3,15,000/- had been given by the complainant for gold at a lower price. Learned State counsel has very fairly stated that even though, he has not been supplied with any document but a compromise is stated to be in the offing between the parties.

Notice of motion, returnable for 14.09.2020.

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

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

Since the petitioner had not joined the investigation, on 14.09.2020, the matter was adjourned to today and the petitioner had been directed to appear before the Investigating Officer on 18.09.2020 at 11.00 A.M.

Learned State counsel, upon instructions from SI Ramesh Kumar, informs the Court that the petitioner has chosen not to join investigation in spite of two opportunities having been granted.

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

Petition is dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

October 26, 2020
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |