

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

* * *

**CRM-M No. 444 of 2021
Date of Decision: 07.01.2021**

Arun Sarwan @ Vishu

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Manpreet Singh, Advocate for the petitioner.
Ms. Samina Dhir, DAG, Punjab.

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Avneesh Jhingan, J. (Oral)

The matter is taken up for hearing through video conference due to COVID-19 situation.

This is a petition seeking anticipatory bail.

The brief facts are that FIR No. 166 dated 12.10.2020, under Sections 307, 323, 148, 149 IPC and Sections 25 and 27 of the Arms Act, 1959 was registered at Police Station City Moga.

The petitioner was granted interim bail vide order dated 11.12.2020 and was directed to join the investigation. The petitioner failed to join the investigation, resultantly, the application for anticipatory bail was dismissed on 18.12.2020.

Learned counsel for the petitioner submits that the petitioner went to the police station but was not made to join the investigation. He relies upon order dated 30.12.2020 passed by this Court in CRM-M-44275 of 2020 whereby the co-accused was given one more opportunity to join the investigation.

Notice of motion.

Ms. Samina Dhir, DAG, Punjab appearing on advance notice accepts the same.

Learned counsel for the State submits that the petitioner intentionally never joined the investigation.

It would be worth while to mention that there is not even a single word in the pleadings explaining the reason for not joining the investigation. So far as reliance upon the order dated 30.12.2020 is concerned, in that case there was specific explanation for not joining the investigation which was accepted and thereafter opportunity was granted.

However, considering that name of the petitioner is mentioned only in the cross-version and he was granted interim bail by the trial court, one more opportunity is granted to the petitioner to join the investigation within one week from today subject to payment of cost of Rs.10,000/- to be deposited in Poor Patient Welfare Fund, PGIMER, Chandigarh.

It is clarified that in case the petitioner for any reason fails to deposit the cost or to join the investigation within one week from today, the order dated 18.12.2020 shall automatically get restored without reference to the Court.

The petition stands disposed of.

(AVNEESH JHINGAN)
JUDGE

07.01.2021
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Whether speaking/reasoned	Yes
Whether reportable	No