

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

CRM-M-18327-2021

Date of Decision: 28.09.2021

Sahil Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

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

Ms. Harpreet Kaur, AAG, Haryana
for the respondent-State.

AVNEESH JHINGAN , J.(Oral)

1. Due to COVID-19 situation, the Court is convened through video conference.

2. This petition under Section 438 Cr.P.C. is filed seeking anticipatory bail in FIR No.60, dated 28.03.2021, under Section 379-A of the Indian Penal Code, 1860, registered at Police Station Buria, District Yamuna Nagar.

3. The FIR was registered at the instance of Vijay @ Pawan alleging that on 28th March, 2021, the complainant was going on bicycle to deposit the money, he stopped near a river bridge to attend a call on his mobile, three boys came on a motorcycle bearing registration No. HR02-AC-5630 and after snatching the mobile phone and Rs.5000/- they fled away.

4. On 26th May, 2021, considering the contention of the learned counsel for the petitioner that petitioner was nominated on the basis of disclosure statement, time was granted to the State to file reply and arrest of the petitioner was stayed. On 16th June, 2021 following order was

“A photocopy by way of affidavit dated 02.06.2021 of Desh Raj HPS, Deputy Superintendent of Police, Yamuna Nagar is taken on record.

Registry to tag the same at appropriate place.

Learned counsel for the petitioner has pointed out that although arrest of the petitioner was stayed on 26.05.2021, but he was not allowed to join the investigation.

Posted on 24.08.2021.

In the meanwhile, petitioner will join the investigation before the Investigating Officer. In the event of arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.”

5. On 24th August, 2021, State counsel submitted that petitioner has not joined the investigation. Learned counsel for the petitioner sought another opportunity to join the investigation. On 13th September, 2021, none had put in appearance on behalf of the petitioner, on request of learned State counsel petitioner was again directed to join the investigation.
6. Today Mr. Inderjeet Singh, Advocate appears on behalf of the petitioner submits that he has no instructions from his client.
7. Considering the conduct of the petitioner, it is not a case for grant of anticipatory bail. In spite of the directions of this Court, petitioner failed to join the investigation. The recovery of motorcycle, snatched mobile and money is yet to be made.
8. The petition is dismissed.

**(AVNEESH JHINGAN)
JUDGE**

28.09.2021

Parveen Sharma