

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

107)

CRM-M-46628 of 2021

Date of Decision: 15.12.2021

Mukhtiar Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Rajinder Sinbh Bhatta, Advocate, for the petitioner.
Mr. Rana Harjasdeep Singh, DAG, Punjab

Amol Rattan Singh, J. (Oral)

Case heard by way of video conferencing.

By this petition, filed under the provisions of Section 438 of the Cr.P.C, the petitioner seeks the concession of anticipatory bail, upon FIR no.120, dated 23.09.2021, having been registered at Police Station Sadar Jalalabad, District Fazilka, alleging therein the commission of offences punishable under Sections 170, 420, 467, 468, 471 of the IPC.

On 03.11.2021, the following order had been passed by this court:-

“By this petition, filed under the provisions of Section 438 of the Cr.P.C, the petitioner seeks the concession of anticipatory bail, upon FIR no.120, dated 23.09.2021, having been registered at Police Station Sadar Jalalabad, District Fazilka, alleging therein the commission of offences punishable under Sections 170, 420, 467, 468, 471 of the IPC.

Notice of motion be issued to the respondents, with Mr. Rana Harjasdeep Singh, learned DAG, Punjab, accepting notice on behalf of the respondent State, on the asking of the court.

Adjourned to 10.12.2021.

Since the petitioners' name is stated to have been disclosed in a

statement made by a co-accused in police custody (as contended before this court), in the meanwhile, the petitioner is directed to join investigation within one week and upon his doing so, in case he is sought to be arrested, he would be admitted to interim bail, on his furnishing adequate bail and surety bonds to the satisfaction of the arresting officer/Illaqa Magistrate. He shall abide by the conditions stipulated in Section 438(2) of the Cr.P.C.

If the arresting officer does not join the petitioner in investigation, he would appear before the learned Illaqa Magistrate immediately, who would then summon the arresting officer and direct him to join him in investigation.

A gazetted officer is directed to file a reply to the petition before the next date of hearing.

Whether the interim order should be continued or not, would be seen upon a reply being filed by the State.”

Thereafter, on December 10, 2021, the turn of the case having come up after 4.00 p.m., counsel for the petitioner had not come present, with learned State counsel having informed this court that despite the aforesaid order of this court dated 03.11.2021, the petitioner had not joined investigation.

Today an affidavit dated 14.12.2021, executed by the DSP, Sub-Division Jalalabad, has been filed, which is ordered to be taken on record.

As per the said affidavit also, the petitioner has not joined investigation even after 03.11.2021.

That being so, I see no ground to entertain this petition, which is consequently dismissed, with the interim order passed in favour of the

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petitioner on 03.11.2021, vacated.

15.12.2021
vcgarg

(AMOL RATTAN SINGH)
JUDGE

Whether reasoned/speaking: Yes
Whether reportable: No