

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

* * *

**CRM-M-43949 of 2020
Date of Decision: 21.01.2021**

Neeraj and another

....Petitioners

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Surinder Singh Siao, Advocate for the petitioners.
Ms. Mahima Yashpal, DAG, Haryana.

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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 in FIR No. 50 dated 25.9.2020, under Sections 313, 323, 498 A and 34 IPC, registered at Police Station Women Police Station, Bahadurgarh.

The prayer for pre-arrest bail was declined by Additional Sessions Judge (Exclusive Court), Jhajjar vide order dated 18.12.2020 recording that a notice under Section 41-A Cr.P.C. was served upon the petitioners by the Investigating Officer but they failed to join investigation.

Learned counsel for the State, on instructions from ASI-Rani, submits that as on date, only notices (three in number) under Section 41-A Cr.P.C. were served upon the petitioners but they failed to join the investigation and rather moved a petition for anticipatory bail.

She relies upon the provision of Section 41-A Cr.P.C. to submit that as

per the said provision a notice is issued only in cases where arrest of the person is not required under Section 41(1) Cr.P.C.

In view of the statement made, learned counsel for the petitioner is not in a position to show any surviving cause of action for pursuing the present petition.

The petition is disposed of as infructuous.

(AVNEESH JHINGAN)
JUDGE

21st January, 2021
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Whether speaking/reasoned	Yes
Whether reportable	No