

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

206

CRM-M-44438 of 2020
Date of Decision : 03.09.2021

Amritpal

..Petitioner

Versus

State of Haryana

...Respondent

(Through video conferencing)

CORAM: *HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*

Present: Mr. Navneet Jindal, Advocate for the petitioner.

Mr. Karan Garg, AAG, Haryana.

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C for the grant of anticipatory bail to the petitioner in FIR No.321 dated 09.10.2019 registered under Sections 147, 148, 149, 186, 224, 225, 332, 333, 342, 353, 379-B, 427 and 307 IPC and Section 25 of the Arms Act, 1959 at Police Station City Mandi Dabwali.

A Co-ordinate Bench of this Court on 12.02.2021 passed the following order:-

“Learned counsel for the petitioner, while making reference to the reply by way of affidavit of Kuldeep Beniwal, DSP, Dabwali on behalf of respondent-State, submits that the only allegation against the petitioner is that he has twisted the arm of ASI Sukhdev Singh, who was a member of the police party from Punjab.

Adjourned to 17.05.2021.

In the meantime, in the event of arrest of the petitioner, he shall be released on ad-interim bail to the satisfaction of the arresting officer. However, the petitioner shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C.”

Learned State counsel on instructions from S.I. Naresh Kumar submits that the petitioner has not joined the investigation despite the expiry of more than six and a half months.

Learned counsel for the petitioner submits that the petitioner has not contacted him so far.

Keeping in view the fact that the concession of interim bail given by this Court has not been availed by the petitioner and the allegations alleged against the petitioner are serious in nature and the conduct of the petitioner is such that he chose not to join the investigation, therefore, it cannot be said that in case, the petitioner is granted the benefit of anticipatory bail he will join and cooperate the investigation. No ground is made out to grant the concession of anticipatory bail to the petitioner.

Dismissed.

September 03, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No