

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

101/3)

CRM-M-55762 of 2019

Date of Decision: 07.10.2021

Sunil Kumar

...Petitioner

Versus

State of Punjab

...Respondent

2)

CRM-M-55763 of 2019

Mehar Chand

...Petitioner

Versus

State of Punjab

...Respondent

3)

CRM-M-55766 of 2019

Amin Chand

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- None for the petitioners.
Mr. Rana Harjasdeep Singh, DAG, Punjab.

Amol Rattan Singh, J. (Oral)

Case heard by way of video conferencing.

By these petitions, the petitioners therein seek the concession of 'anticipatory bail' under the provisions of Section 438 Cr.P.C., upon FIR No.96, dated 25.09.2019, having been registered at Police Station Anandpur Sahib, District Rupnagar, alleging therein the commission of offences punishable under Sections 420, 465, 467, 468, 471 and 120B of the IPC.

The petitioners herein were admitted to interim bail vide an order passed by this court (coordinate Bench) on 10.02.2020.

Thereafter, counsel for the petitioners has never appeared as would be visible from the orders dated 30.06.2021, 28.09.2021 and

01.10.2021, with the case seemingly not having been listed between 10.02.2020 and 30.06.2021 on account of the ongoing pandemic.

On 28.09.2021, this court had specifically observed that though the counsel had not appeared (for the second date in succession), the petitions were not being dismissed as learned State counsel had submitted at that stage that he had received instructions only qua petitioner Sunil Kumar, to the effect that he had not joined investigation despite the order passed on 10.02.2020 (more than 1½ year ago at that stage).

Thereafter on 01.10.2021, the following order had been passed by this court:-

“Case heard via video conferencing.

None having appeared for the petitioners even today, learned State counsel reiterates that the petitioners did not join investigation even pursuant to the order dated 10.02.2020.

It being well past 4:00 p.m., no adverse order is being passed today and consequently hearing in the matter is adjourned to 07.10.2021.

To be shown in the urgent motion list, with it made clear that if counsel for the petitioners does not appear on that date, these petitions would naturally stand dismissed in view of the statement made by learned State counsel.

(A copy of this order be also placed on the file of the other connected matters too.)”

Today learned counsel for the petitioners has again not come present even on second call of these cases.

Learned State counsel again submits that as per his instructions, the petitioners in these three petitions have never joined

investigation.

That being so, these petitions are dismissed, with in any case the interim order not having been complied with, therefore even vacation thereof is actually unnecessary. However, to make it absolutely clear, the interim order dated 10.02.2020 stands vacated.

A copy of this order be placed on the file of the other connected matters too.

07.10.2021
vcgarg

(AMOL RATTAN SINGH)
JUDGE

Whether reasoned/speaking: Yes
Whether reportable: No