

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

107

CRM-M-9931-2022 (O&M)

Date of Decision: 09.03.2022

RANADEEP GHOSAL

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Shailender Kashyap, Advocate
for the petitioner.

HARNARESH SINGH GILL, J.(Oral)

Through this 2nd petition, the petitioner seeks anticipatory bail in case bearing FIR No.610 dated 30.09.2019 under Sections 406, 420, 467, 468, 471 read with Section 120-B IPC, registered at Police Station DLF, Gurugram, the 1st one having been dismissed on merits on 17.12.2021.

Learned counsel for the petitioner submits that vide CRM-9232-2020, the petitioner had sought anticipatory bail in the above noted FIR, which was granted by this Court on 02.03.2020 and the petitioner was directed to join the investigation and that due to Covid-19 pandemic, he could not join the investigation. It is further submitted that on 13.12.2021, the petitioner was given last opportunity to join the investigation, but again he could not join the investigation and the reason for that was that there were other FIRs pending against the petitioner and if the petitioner had appeared before the Police, they would have arrested him in the other pending FIRs.

It is yet further submitted that the earlier the fact could not

be brought to the notice of this Court and hence, the necessity has arisen to file the present petition. While making reference to the other FIRs registered against the petitioner, the learned counsel states that the petitioner has been granted the concession of bail in the said cases by the Coordinate Bench and this Court, vide orders dated 07.12.2021 and 20.12.2021. On the strength thereof, it is vehemently contended that once the petitioner stands released on bail in the other cases, there is no justification to deny such concession in the present case, especially when the petitioner has made out a ground for him not been able to join the investigation pursuant to the earlier orders passed by this Court in the 1st bail petition.

Notice of motion.

At this stage, Mr. Ashok Singh Chaudhary, Addl. A. G. Haryana, accepts notice on behalf of respondent-State. He submits that despite specific and repeated directions issued by this Court, the petitioner did not bother to comply with the same. Thus, he does not deserve any further indulgence.

I have heard the learned counsel for the parties.

Admittedly, the petitioner was granted concession of anticipatory bail in the present FIR vide order dated 02.03.2020 and was also directed to join the investigation. Thereafter, when the matter came up for hearing before this Court on 03.08.2021, it was pointed out by the learned State counsel that the petitioner did not join the investigation. Still further, on 20.09.2021, the petitioner was granted further opportunity to join the investigation but the said direction too was not

complied with. On 13.12.2021, the petitioner was granted last opportunity to join the investigation but he failed to comply with the said direction as well. This conduct of the petitioner left this Court with no option except to dismiss the bail petition vide order dated 17.12.2021.

Interestingly, the petitioner has now filed the 2nd petition pleading therein that he could not join the investigation because of pendency of other FIRs against him. However, no such fact was brought to the notice of this Court while passing various interim orders in the 1st bail petition despite the fact that the counsel in the present petition was also the counsel in the earlier petition. Even if the other FIRs were registered against the petitioner, the same cannot be a ground to violate the directions issued by this Court. Rather the conduct of the petitioner clearly shows that he was not interested in complying with the orders passed by this Court and rather took the same for granted. The indulgence of the Court is meant for the litigant who duly obeys the process of law and not for the ones, who either abuse the same or have no regard for the same.

In view the above, petitioner is not entitled to the concession of anticipatory bail.

Dismissed.

09.03.2022

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No