

CRM-M-28851-2021 (O&M)

Through video conference
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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.**

CRM-M-28851-2021 (O&M).
Decided on: February 22, 2022.

Sandeep Masih

.. Petitioner

VERSUS

State of Haryana

.. Respondent

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

**PRESENT Mr.Ritesh Pandey, Advocate,
for the petitioner.**

Mr.Naveen Singh Panwar, DAG, Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 438 of the Code of Criminal Procedure, for grant of anticipatory bail in FIR No.377 dated 15.6.2021, under Sections 406 and 420 IPC, registered at Police Station Assandh, District Karnal.

Notice of motion was issued by this Court on 26.7.2021 and it was directed that in the meanwhile, the petitioner shall join the

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investigation and thereafter also as and when called upon to do so and shall be released on interim bail subject to furnishing personal bond/surety bond to the satisfaction of Arresting/Investigating Officer. It was further ordered that the petitioner shall abide by all the conditions as provided under Section 438 (2) Cr.P.C.

Thereafter, an affidavit was filed by the State and it was categorically stated in para 2 of the preliminary objection that the petitioner has failed to obey the directions issued by this Court to join the investigation although the investigating officer has tried to contact him on his mobile No.8872277150 but the said mobile number always remained switched off and the investigation is pending for want of interrogation of the petitioner and as such, the petitioner is not entitled for the grant of anticipatory relief. However, the matter was adjourned for 11.11.2021 and on that date, nobody caused appearance on behalf of the petitioner and therefore, the matter was again adjourned for 7.2.2022 and on this date, again nobody caused appearance on behalf of the petitioner although the matter was called twice. However, on that date, the learned State counsel had submitted that although the petitioner was granted interim bail but he has not joined the investigation despite the fact that directions were issued in this regard. Since the learned counsel for the petitioner was not present on that day, this Court had adjourned the matter for today and the Registry was directed to inform the learned counsel for the petitioner with regard to the next date of hearing fixed by this Court by way of written

communication.

Today, Mr.Ritesh Pandey, Advocate, has caused appearance on behalf of the petitioner. He submitted that he has tried to contact the petitioner but he could not contact him and his phone was also not reachable.

Learned State counsel has again submitted that despite the directions issued by this Court to the petitioner to join the investigation while granting interim bail, the petitioner has failed to join investigation.

In view of aforesaid factual position, the present petition is hereby dismissed. Interim order dated 26.7.2021 stands vacated.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant only for the purpose of decision of present petition.

February 22, 2022.	(JASGURPREET SINGH PURI)
raj arora	JUDGE
Whether speaking / reasoned	Yes / No
Whether reportable	Yes / No