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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-34009-2021 (O&M)
Date of Decision: 19.01.2022

Anil Kumar

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Vipul Aggarwal, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.23 dated 07.02.2021 under Sections 379, 447 and 511 IPC (Section 120-B IPC added subsequently) and Sections 15 and 16 Petroleum and Mineral Pipelines (Acquisition of Right of user in Land) Act, 1962 and under Sections 3 and 4 Public Property (Prevention of Damage) Act, 1985, registered at Police Station Kalan Wali, District Sirsa. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

On 20.08.2021, the following order was passed by this Court:

“Learned counsel contends that the petitioner is similarly situated like his co-accused-Manish Kumar, who has been granted the interim bail vide order dated 29.04.2021 (Annexure P-2).

Notice of motion for 11.10.2021.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

To be heard along with CRM-M-18054-2021. ”
Learned State counsel on instructions from SI Bhoop Singh has
stated that despite calling the petitioner on number of occasions, he has
failed to join the investigation.

This fact is not disputed by learned counsel appearing on behalf
of the petitioner, who states that since the petitioner is involved in another
case, wherein his anticipatory bail has been declined, therefore, he is not
joining the investigation in the present case.

Considering the above conduct of the petitioner, who is
deliberately violating the directions given by this Court, no case is made out
for releasing the petitioner on anticipatory bail.

The petition is dismissed.

19.01.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No