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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-42734-2021 (O&M)
Date of Decision:24.03.2022

Afzal

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Munfaid Khan, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

...

Manoj Bajaj, J. (Oral)

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in a case FIR No.373 dated 25.09.2021 registered under Sections 3/13(1), 8/13(3) and 17 Haryana Govansh Sanrakshan and Gosamvardhan Act, 2015 at Police Station Ferozepur Jhirka, District Nuh, who apprehends his arrest at the hands of Police.

On 28.10.2021, this Court had passed the following order:

“Learned counsel for the petitioner submits that he had been declared Proclaimed Offender on 04.02.2021 by Ld. Trial Court and has been erroneously inserted possibly as a mechanical cut paste job from drafting in some other case and the fact of the matter is that the petitioner has never been declared Proclaimed Offender, which according to Ld. Counsel can be recorded as his statement at the Bar.

2. Ld. counsel for the petitioner submits further that the petitioner was not arrested on the spot and no recovery was actually effected from him, nor the disputed vehicle or the vehicle in question/motorcycle belongs to the petitioner, and that the petitioner's name has only transpired from the disclosure statement of accused Asgar.

3. Notice of motion.

4. Mr. Anmol Malik, DAG, Haryana accepts notice on behalf of the State. Let a copy of the Paper-book be supplied to him.

5. To come up on 14.01.2022.

6. Meanwhile, in the event of arrest of the applicant/petitioner by the Arresting Officer, he shall be released on interim bail subject to the following conditions:-

- i. That he shall make himself available for interrogation by a Police Officer as and when required;
- ii. That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer and;
- iii That he shall not leave India without prior permission of the Court.”

Learned counsel for the petitioner states that for some reasons, the petitioner could not join the investigation as directed on 17.01.2022 and this Court vide order dated 17.01.2022 had granted another period of ten days to the petitioner to join the investigation.

Today, again learned counsel for the petitioner states that some more time be granted to the petitioner to comply with the directions given by this Court.

Considering the conduct of the petitioner, particularly in the absence of any justifiable reason, this Court is not inclined to further grant time to the petitioner.

Resultantly, the petition is dismissed.

24.03.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned

Yes No

Whether reportable

Yes No

