

CRM-M-43384-2020
Date of decision-19.01.2022

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ, J.

Learned counsel for the petitioners has invited the attention of the Court to the order dated 22.12.2021, whereby while issuing notice of motion, the interim protection was extended to the petitioners. The said order reads as under:-

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

Learned counsel for the petitioners further contends that in deference to the said order, the petitioner No.2-Soma submitted himself before the Police and joined the investigation, however, petitioner No.1-Kala has not joined the investigation. According to him, the petitioner No.2 cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Randhir Singh does not dispute this fact that the petitioner No.2-Soma has joined the investigation and petitioner No.1-Kala did not comply the order dated 22.12.2021. He further states that the petitioner No.2 is not required for custodial interrogation for the time being.

In view of the above, the petition is allowed qua petitioner No.2-Soma and the interim bail granted by this Court vide order dated 22.12.2021 is made absolute qua him only, however, considering the conduct of petitioner No.1-Kala, this Court is of the opinion that as he has failed to comply with the order dated 22.12.2021, therefore, no case is made out for extending the extra ordinary concession of pre arrest bail to him.

Resultantly, petition is dismissed qua petitioner No.1-Kala.

(MANOJ BAJAJ)
JUDGE

19.01.2022

vanita	Whether speaking/reasoned :	Yes	No
	Whether Reportable :	Yes	No