

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

CRM-M No. 47811 of 2022

Date of decision : October 17, 2022

Aijaj

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present :- Mr. Arjun Atri, Advocate
for the petitioner.

PANKAJ JAIN, J. (ORAL)

This is a petition filed under Section 438 Cr.P.C. seeking pre-arrest bail in FIR No 141 dated 02.06.2022 for offences punishable under Section 3/13 (1), 8/13 (3) of The Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 and Section 34 IPC registered at Police Station Uttarwar, District Palwal.

As per the record of the case, the petitioner was granted indulgence by the court below in the application filed under Section 438 Cr.P.C and was ordered to join investigation within a period of seven days. However, as per the admitted position despite repeated opportunities having been granted to the petitioner on 9.9.2022, 12.9.2022, 15.9.2022 and 17.9.2022 the petitioner failed to join investigation. Consequently, order dated 20.9.2022 was passed which reads as under:

SHO, PS Uttawar admitted that reply would be filed in time in future. On his assurance, no further action is being taken and he is discharged.

“In pursuance of the order dated 09.09.2022, the applicant was released on interim anticipatory bail but despite direction of the court and notice issued by the 10 on 09.09.2022, 12.09.2022, 15.09.2022 and 17.09.2022, the applicant failed to join the investigation. Considering his conduct, the court is of the view that the applicant is not entitled to be released on anticipatory bail, as he failed to comply with the conditions. Hence, the application for anticipatory bail is hereby dismissed. File be consigned to record room after due compliance.”

No ground for interference is made out. At this stage, learned counsel for the petitioner submits that the petitioner shall surrender before the Illaqa Magistrate/Duty Magistrate on 28.10.2022. On his doing so, his bail application shall be decided within a period of ten days thereafter.

Notice of motion.

On the asking of the Court Mr. Sumit Jain, Addl. A.G., Haryana accepts notice and submits no objection to the order passed. Consequently, the present petition stands disposed off in terms of aforesaid directions.

(PANKAJ JAIN)
JUDGE

October 17, 2022
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Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No