

(203)

CRM-M-42627 of 2019

Date of decision : 09.03.2022

Ashok Kumar Sharma @ Ashok KumarPetitioner

VERSUS

State of Punjab**Respondent**

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Mr. Rohit Sud, Advocate, for the petitioner.

Ms. A. K. Khurana, DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

The case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

The prayer in the instant petition filed under Section 438 Cr. P. C. is for grant of Anticipatory Bail to the petitioner in case No.B.A. No.141 of 12.04.2019 in FIR No.46 dated 31.05.2018 for the offence under Sections 121, 121-A, 122, 124-A, 115, 307, 438, 427, 120-B IPC and U/s 11/12/13/17/18 of the Unlawful Activities (Prevention) Act, 1967 and 25/27/54/59 Arms Act and 66-F, I.T. Act registered at Police Station Rangar Nangal, District Gurdaspur.

Learned State counsel submits on instructions from ASI Baldev Raj that despite grant of numerous opportunities, the petitioner has chosen not to join the investigation. It is also informed by her that the petitioner is avoiding to come to the police station and has not responded to the request made by the Investigating Agency. It is informed that petitioner is staying in Dubai. Act of non-joinder in investigation is deliberate and in defiance of the

indulgence shown by the Court. She prays that the discretionary relief should not be extended any further.

Mr. Rohit Sud, counsel for the petitioner has failed to contradict the assertion made by the learned State counsel and to make a statement about the petitioner having joined investigation.

On account of persistent failure of the petitioner to join investigation and to co-operate with the investigation agency; I feel that it would not be in the interest of justice to show any further concession and indulgence. The petition seeking relief of pre-arrest bail is accordingly dismissed.

09.03.2022
anil

(VINOD S. BHARDWAJ)
JUDGE

<i>Whether speaking/reasoned :</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>