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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-54065-2021 (O&M)
Date of Decision:05.07.2022

Paramjit Singh @ Sajan

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Vikas Gupta, Advocate for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

...

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.51 dated 17.05.2018 under Sections 379-B/323/506/34 IPC (Section 201 IPC added later on), registered at Police Station Jhabal, District Tarn Taran, who apprehended his arrest at the hands of police.

The allegations as noticed by the ld. Addl. Sessions Judge, Tarn Taran in the order dated 10.11.2021 are as under:

“As per records, the FIR in this case is outcome of an incident of snatching in which two motorcyclists snatched the purse of complainant which contained Adhar Card, PAN Card, ATM Card of Punjab National Bank, voter card and role number of college/university besides cash amount of Rs.7,000/- and a Samsung J-2 make mobile phone set.”

On 10.03.2022, after hearing the learned counsel for the parties,

this Court had passed the following order:

“Learned counsel has argued that as per complainant, two unknown persons had snatched purse, cash of Rs.7000/- and mobile phone from him and co-accused namely, Punjab Singh was arrested on 18.05.2018. He submits that the petitioner has been implicated in this case after long delay, who approached the Court of Sessions to seek pre arrest

bail in November, 2021, but his prayer was declined vide order dated 10.11.2021. He has argued that though there is another case against the petitioner i.e. FIR No.70 dated 16.05.2018 but in that case, the petitioner is on regular bail. He submits that the petitioner is willing to join the investigation, who has been falsely implicated in this case.

Learned State counsel assisted by SI Balraj Singh has referred to the status report filed by way of affidavit of Barjinder Singh, PPS, Deputy Superintendent of Police, Sub Division Tarn Taran on behalf of respondent-State and has argued that vide order dated 08.11.2021, the petitioner was declared a proclaimed offender. He submits that the name of the petitioner was disclosed by his coaccused-Punjab Singh, but he is unable to justify the long delay in proceeding to take action against the accused, who was declared proclaimed offender at a stage when his application for pre-arrest bail was under consideration before the Court of Sessions.

Adjourned to 05.07.2022.

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. ”

Today, learned counsel for the petitioner states that in compliance of the above directions, the petitioner has joined the investigation.

The above stand of learned counsel for the petitioner is vehemently refuted by the learned State counsel, who on instructions from ASI Satpal, states that the petitioner has not associated with the investigation and is enjoying extraordinary concession, which was extended to him four months back.

At this stage, learned counsel for the petitioner prays that more time be granted to the petitioner for joining the investigation, however, he is unable to give any sufficient explanation for not complying with the directions of this Court over a period of four months.

After hearing the learned counsel for the parties and

registered in May, 2018, but the accused/petitioner approached the Court of Sessions for the first time in November, 2021 and after dismissal of his pre arrest bail application, he approached this Court in December, 2021 and despite getting the interim pre arrest concession, he has failed to comply with the condition imposed by this Court.

Resultantly, without meaning any expression of opinion on the merits of the case, this Court is not inclined to extend the concession of pre arrest bail to petitioner.

Dismissed.

05.07.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No