

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-26541-2023 (O&M)
Date of decision: 19.09.2023

Satinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- None for the petitioner.

Mr. C.L. Pawar, Addl. AG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

1. Prayer in the present petition, filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner in case FIR No.95 dated 30.03.2023, under Sections 420, 467, 468, 471 and 120-B of the Indian Penal Code, 1860 at Police Station Zirakpur, District SAS Nagar (Annexure P-1).
2. Vide order dated 02.06.2023 passed by a Coordinate Bench, *ad interim* anticipatory bail was granted to the petitioner.
3. Today there is no representation on behalf of the petitioner. Even on 11.08.2023, the situation remained the same.
4. Learned State counsel on the instructions from ASI Nirmal Singh, submits that *ad interim* anticipatory bail was granted to the petitioner way back on 02.06.2023, but despite giving two opportunities, he has not joined the investigation. However, on 11.08.2023 there was no representation

on behalf of the petitioner, even then another opportunity was given to him to appear before the Investigating Officer within 10 days or any other date convenient to the Investigating Officer.

5. I have heard the learned counsel for the respondent-State and have also gone through the case file.

6. As notice above, even after availing two opportunities, the petitioner has not joined the investigation.

7. The petitioner did not join the investigation for the reasons best known to him and thereby flouted the orders passed by the Coordinate Bench as well as of this Court. It is not open to a petitioner/accused to dictate the terms of appearance before the trial Court or the Investigating Officer, when a specific direction was issued in the order(s). If the petitioner/accused wilfully flouts the order of Court, he cannot expect any equitable relief from the Court and he must be made to bear the consequences of his action. After having obtained an order, the petitioner cannot be allowed to sleep over its compliance.

In view of the above, the present petition is dismissed.

(HARNARESH SINGH GILL)
JUDGE

19.09.2023

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No