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2023:PHHC:136647

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-35679-2023

Date of decision :19.10.2023

SAHIL

... Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Vinay Puri, Advocate
for the petitioner(s).

Mr. Kunwarbir Singh, Asstt. A.G., Punjab.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in this petition under Section 438 Cr.PC is for the grant of anticipatory bail in case FIR No.0215 dated 08.12.2022 under Sections 452/380/427/148/149/506 IPC, 1860 at Police Station Division No.6, District Jalandhar Commissionerate, Jalandhar.

On 26.07.2023, the following order was passed:-

“The prayer in the petition under Section 438 Cr.PC is for grant of anticipatory bail to the petitioner in case FIR No.0215 dated 08.12.2022 under Sections 452, 380, 427, 448, 149, 506 registered at P.S. Division No.6, District Jalandhar Commissionerate, Jalandhar.

The Counsel for the Petitioner contends that he has been nominated as an accused on the basis of disclosure statement of his co-accused.

Notice of motion.

On the asking of the Court, Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab accepts notice on behalf of the State.

List on 17.10.2023.

In the meantime, petitioner is directed to appear before the SHO/Investigating Officer to join investigation and in the event of their arrest, they shall be released on bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency, subject to the following conditions as envisaged under Section 438(2) Cr.PC:-

(i) that the petitioner shall make himself available for interrogation before the investigating officer as and when required;

(ii) that the petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade them from disclosing such facts to the court or to any police officer;

(iii) that the petitioner shall not leave the country without prior permission to the Court and shall surrender his/their passport(s), if any. The Counsel for the State is directed to file reply to the petition.”

Thereafter, on 17.10.2023, the following order was passed:-

“The status report dated 17.10.2023 filed on behalf of the respondent-State is taken on record.

The learned counsel for the petitioner prays for one more opportunity for the petitioner to join the investigation in terms of the order dated 26.07.2023. In view of the above, the petitioner is directed to join the investigation once again on 18.10.2023 in terms of the order dated 26.07.2023.

Adjourned to 19.10.2023.

Interim order to continue till the next date of hearing.”

Despite the aforementioned orders, the petitioner has not joined investigation.

In view of the non-cooperative attitude of the petitioner, the present petition stands dismissed.

(JASJIT SINGH BEDI)
JUDGE

19.10.2023
JITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No