

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(102) CRM-M-43849-2023
Date of decision:- 06.12.2023.

Sagar ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: None for the petitioner.

Mr. A.P.S Tung, DAG, Punjab

SUVIR SEHGAL, J. (Oral)

1. On 20.10.2023, following order was passed:-

“1. This petition was filed seeking anticipatory bail.

2. On 2.9.2023, the following order was passed :-

‘1. The present petition has been filed under Section 438 of Cr.P.C. seeking anticipatory bail in FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
518	28 th December, 2022	City Ferozepur, District Ferozepur	379-B of IPC, 1860

2. The brief facts are that the FIR was registered at the instance of Varun Pathak. He alleged that on 26th December, 2022 he had withdrawn the money from Paytm and while he was counting the currency notes, three persons riding a motorcycle and snatched the money. He tried to chase them but they were successful in fleeing from the spot.

3. Learned counsel for the petitioner submits that it is a case of false implication. Petitioner was named due to involvement in another case. He on instructions submits that petitioner is ready

to join investigation and has no objection if the identification parade is conducted.

4. Learned State counsel opposes the prayer for grant of interim bail and on instructions submits that petitioner is involved in another case.

5. Without commenting upon the merits of the case, considering that prima facie there is no basis coming forth for naming the petitioner, it is a case of snatching of cash, numbers of currency notes are not mentioned, petitioner has volunteered for identification parade, at this stage no case is made out for custodial interrogation, the petitioner is granted interim bail subject to his joining investigation within ten days. In the event of arrest, he shall be released on bail subject to his furnishing adequate bail bonds to the satisfaction of the Investigating Officer. He is directed to join the investigation as and when called for. He shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

6. List on 29th September, 2023.'

3. On 29.9.2023 none has put in appearance on behalf of the petitioner and counsel for the State submits that petitioner had not joined the investigation.

4. Today, none has put in appearance on behalf of the petitioners in spite of two pass overs.

5. Learned counsel for the State on instructions submits that petitioner has not joined the investigation.

6. Considering that the petitioner has failed to join investigation in spite of granting opportunities and remains unrepresented, the interim order is vacated.

7. List on 6th December, 2023.

8. Let notice to the petitioner be issued for the date fixed."

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3.

2. As per office report, notice issued to the petitioner has been served. However, there is no representation on behalf of the petitioner. It seems that the petitioner is not interested in pursuing the present petition.

3. Dismissed for non-prosecution.

(SUVIR SEHGAL)
JUDGE

6th December, 2023

spn

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No