IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

CRM-M-53710-2023

Date of Decision:-13.12.2023

Amit Ahuja.

.....Petitioner.

Versus

State of Haryana & Anr.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- None for the Petitioner.

Mr. Kanwar Sanjiv Kumar, AAG Haryana.

Mr. Ashit Malik, Advocate for respondent no.2.

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JASJIT SINGH BEDI, J. (ORAL)

The prayer in the petiton under Section 438 Cr.PC is for grant of anticipatory bail to the petitioner in case registered against him vide FIR No.321 dated 16.05.2023 under Sections 148, 149, 323, 341, 342, 365 IPC at P.S. Thanesar Sadar, District Kurukshetra.

On 20.10.2023 the following order was passed:-

> " *The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail to the petitioner in case registered against him vide FIR No.321 dated 16.05.2023 under Sections 148, 149, 323, 341, 342, 365 IPC at Police Station Thanesar Sadar, District Kurukshetra.*
>
> *The learned counsel for the petitioner inter alia contends that the FIR in question has been registered after a delay of 03 days. It is an outcome of a dispute regarding sending people abroad where the petitioner was a middle*

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man whereas the complainant provided Visas. Even otherwise, the injuries stated to have been caused are simple in nature.

Notice of motion for 11.12.2023.

Mr. Ravish Kaushik, AAG, Haryana, present in the Court, accepts notice on behalf of the State.

In the meantime, the petitioner is directed to appear before the SHO/Investigating Officer to join investigation and in the event of his arrest, he 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.P.C.:-

(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 him/her from disclosing such facts to the Court or to any police officer;

(iii) that the petitioner shall not leave the country without prior permission of the Court and shall surrender his passport, if any. Meanwhile, the State is directed to file an affidavit/reply as to the exact role of the petitioner and his co-accused alongwith the details of pending FIRs, if any, on or before the next date of hearing.

Thereafter on 11.12.2023 the following order was passed:-

" *A reply dated 09.12.2023 by way of an affidavit of Pardeep Kumar, HPS, Deputy Superintendent of Police, Kurukshetra has been filed on behalf of the State by the learned counsel for the State. The same is taken on record.*

The petitioner is directed to join investigation once again on 12.12.2023 at 10.00 AM.

List on 13.12.2023.

Interim order to continue."

Despite the aforementioned orders having been passed, the petitioner has not joined investigation and the counsel has also not put in

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appearance in the court today despite the matter having been passed over multiple times.

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

This order be communicated to the Superintendent of Police, Kurukshetra for further action in accordance with law.

(JASJIT SINGH BEDI)
JUDGE

December 13, 2023
Vinay

Whether speaking/reasoned	***Yes/No***
Whether reportable	***Yes/No***

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