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2024:PHHC: 032209
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-37-2024
Date of decision: 06.03.2024

RAJWINDER SINGH @ RAJWINDER PETITIONER(S)

VERSUS

STATE OF HARYANA ...RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: None for the petitioner.

Mr. Rupinder Singh Jhand, Addl. A.G., Haryana.

JASJIT SINGH BEDI, J. (Oral)

There is no representation on behalf of the petitioner.

On 04.01.2024, 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.0206 dated 13.06.2023 under sections 406, 420 IPC and Section 24 of the Emigration Act, 1983, Police Station Civil Line Kaithal, District Kaithal (Haryana).

The learned counsel for the petitioner inter alia contends that the allegations of a work Visa and Civil ID not having been provided to the complainant are incorrect. In fact, the work Visa for Kuwait was provided to Ravi Ishwar, the brother of the complainant who is currently working in Kuwait. Similarly, a Civil ID has also been provided to the said Ravi Ishwar. The said documents in question are on record as Annexures P-5 and P-6.

Notice of motion for 26.02.2024.

Mr. Ravish Kaushik, Addl.AG, 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 26.02.2024, the following order was passed:-

“A reply by way of affidavit dated 23.2.2024 filed by the Deputy Superintendent of Police (HQ), Katihal filed today in the Court is taken on record.

The learned counsel for the petitioner prays for grant of one more opportunity to the petitioner to comply with the order dated 04.01.2024.

The petitioner is directed to appear before the Investigating Agency on or before 28.02.2024 to comply with the order dated 04.01.2024.

Adjourned to 06.03.2024.
Interim order to continue.”

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

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

(JASJIT SINGH BEDI)
JUDGE

06.03.2024
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No