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**THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM No.28061 of 2024 in/and
CRM-M No.25519 of 2024
Date of Decision: 17.07.2024**

Sarif

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Ms. Lalita Kashyap, Advocate for
Mr. Namit Khurana, Advocate
for the applicant-petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

RAJESH BHARDWAJ, J.

CRM-28061-2024

Instant application has been filed for directing the Investigating Officer to join the investigation of the petitioner through video conferencing or extend the time to join investigation by 10 days.

Perusal of the file shows that vide order dated 29.05.2024, the petitioner was directed to join the investigation but he could not join. Thereafter on 10.07.2024, the petitioner was granted final opportunity to join investigation but he failed to join. Today also, counsel for the petitioner prays 10 days more time.

No ground for granting further time to the petitioner to join the investigation is made out as despite two opportunities granted earlier he has failed to join the investigation. So, the present application is dismissed.

CRM-M-25519-2024

1. Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.37, dated 17.01.2024, under Sections 22, 22C, 29 of NDPS Act, registered at Police Station Sector 32-33 Karnal, District Karnal.
2. Learned counsel for the petitioner has contended before this Court that the petitioner was implicated in this case on the basis of disclosure statement of co-accused.
3. On hearing, this Court vide order dated 29.05.2024 had granted the interim bail to the petitioner subject to the conditions as envisaged under Section 438(2) Cr.P.C. and the case was adjourned for 10.07.2024. When the case came up for hearing on 10.07.2024, it was contended by learned counsel for the State, on instructions, that the petitioner despite the order passed by this Court on 29.05.2024 subject to the conditions as envisaged under Section 438 (2) Cr.P.C. did not join the investigation. However, learned counsel for the petitioner prayed for some more time for allowing the petitioner to join the investigation in pursuance to the interim order passed by this Court. On hearing, this Court in the interest of justice, granted one final opportunity to the

petitioner for joining the investigation on 11.07.2024 at 11.00 a.m. before the Investigating Officer and the case was adjourned for 17.07.2024.

4. Now the case came up for hearing today i.e. on 17.07.2024 and learned State counsel, on instructions has submitted that despite having been granted one final opportunity to the petitioner, he again did not join the investigation.

5. Learned counsel for the petitioner was granted time to seek instructions from the petitioner whether he is ready to abide by the conditions of the interim bail and join the investigation accordingly.

6. On confirming the same, learned counsel for the petitioner has submitted that the petitioner may be granted time for joining the investigation after 10 days in view of the medical condition of the petitioner.

7. The Court has perused the medical record produced by the petitioner and finds the same to be merely an excuse for not joining the investigation. Despite having been granted time for joining the investigation, the petitioner failed to convince the Court for not abiding by terms and conditions of the bail granted by this Court. Thus on hearing learned counsel for the parties, the Court is convinced that the petitioner is not keen to abide by the terms and conditions of the interim bail granted and he is trying to buy time without any substantial reason. The provisions of anticipatory bail are extra ordinary in nature, however the petitioner has shown no inclination to respect the interim bail granted

by this Court. The allegations against the petitioner are regarding his complicity in the NDPS Act.

8. Thus in the facts and circumstances of the case, the Court finds no reason to extend the interim bail granted to the petitioner and thus, the petition being devoid of any merit is hereby dismissed.

17.07.2024

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(RAJESH BHARDWAJ)
JUDGE