

2024:PHHC:163337



CRM-M-38707-2024 (O & M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(206-a)

CRM-M-38707-2024 (O & M)
Date of decision: 09.12.2024

Sukhwinder Kumar @ Mohna

..... Petitioner(s)

V/s

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Mohit Kakkar, Advocate,
for the petitioner.

Mr. Harkanwar Jeet Singh, AAG, Punjab.

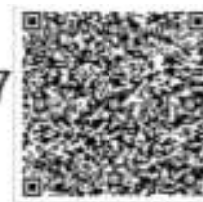
JASJIT SINGH BEDI, J. (Oral)

On 09.08.2024, the following order was passed:-

“The present petition has been filed under Section 482 BNSS (old Section 428 Cr.P.C) for the grant of anticipatory bail to the petitioner in case registered against him vide FIR No.33 dated 08.07.2023 under Sections 325, 326, 323, 324, 148, 149 and 506 IPC at Police Station Patara, Jalandhar Rural, Punjab.

The learned counsel for the petitioner inter alia contends that the petitioner was not named in the FIR but has been nominated on the basis of the disclosure statement of Rohit Verma. As per the disclosure statement of Rohit Verma, no specific role has been attributed to the petitioner. He further contends that a co-accused, namely, Sudhir Bagha has been granted the concession of anticipatory bail vide order dated

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13.10.2023 (Annexure P-3) and it is a case of version and cross-version.

Notice of motion for 23.08.2024.

Ms. Ramta K Chaudhary, DAG, Punjab, 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 482 BNSS:-

(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.

To be heard with CRM-M-16726-2024."

Thereafter, as the petitioner had not joined the investigation, on

23.08.2024, the following order was passed:-

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“The learned counsel for the petitioner prays for one more opportunity to the petitioner to join the investigation in terms of the order dated 09.08.2024.

Adjourned to 09.12.2024.

In the meantime, the petitioner is directed to join the investigation once again in terms of the order dated 09.08.2024. ”

Today, the Court has been apprised that the petitioner has not joined the investigation.

In view of the above, despite ample opportunities being provided to the petitioner, he has not joined the same. Therefore, the present petition stands dismissed.

December 09, 2024
sukhpreet

(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No