

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

103

CRM-M-40892-2024

Date of Decision : October 15, 2024

ASHOK KUMAR

-PETITIONER

V/S

STATE OF PUNJAB

-RESPONDENT

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Atul Goyal, Advocate
for the petitioner.

Mr. Pardeep Bajaj, D.A.G., Punjab.

KULDEEP TIWARI, J. (ORAL)

1. On 23.08.2024, this Court had passed the hereinafter reproduced order upon the instant petition:-

“1. Through the instant petition, as instituted under Section 482 of the B.N.S.S., 2023, the petitioner seeks the concession of anticipatory bail, in case FIR No.88 dated 05.04.2024, under Sections 399/402 of the IPC, and, Section 25 of the Arms Act, registered at P.S. Sahnewal, District Police Commissionerate Ludhiana.

2. Succinctly stated, the allegation(s) against the petitioner is that, he along with his co-accused gathered at a particular place and they were planning to commit robbery.

3. The learned counsel for the petitioner submits that, except the secret information, which constituted the bedrock for registration of the present FIR, the investigating agency is not seized of any other cogent inculpatory evidence, which could connect the petitioner with the alleged crime.

4. Notice of motion for 25.09.2024.

5. Mr. Pardeep Bajaj, D.A.G., Punjab, accepts notice on behalf of respondent-State of Punjab.

6. In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of his arrest, he shall

be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 482(2) of the B.N.S.S., 2023.”

2. Through the hereinabove reproduced order, the petitioner was granted the concession of interim bail and he was also directed to join the investigation, but, the said direction was not complied with by him. Nonetheless, upon a request made by petitioner’s counsel, this Court, vide order dated 25.09.2024, granted another opportunity to the petitioner to join the investigation within ten days therefrom. However, this time again, the direction (supra) remained uncomplied with, as during the course of hearing on 14.10.2024, the learned State counsel informed this Court that the petitioner did not join the investigation. Since the petitioner remained unrepresented that day, therefore, in the interest of justice, the hearing of the instant matter was adjourned for today.

3. Today, the learned counsel for the petitioner submits that, neither the petitioner has joined the investigation, nor has imparted any instructions to him.

4. Since the petitioner has, despite him becoming afforded several opportunities, chosen not to join the investigation, rather has chosen to flout the directions of this Court, therefore, this Court does not deem it a fit and deserving case to grant the concession of anticipatory bail to the petitioner. Consequently, the instant petition is **dismissed** and the hereinabove reproduced order is vacated.

October 15, 2024
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(KULDEEP TIWARI)
JUDGE

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