

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-54997-2023

Date of Decision:-12.01.2024

Harwinder Singh @ Harvinder Singh.

.....Petitioner.

Vs.

State of Punjab.

.....Respondent.

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

Present:- Mr. Swarn Tiwana, Advocate for the Petitioner.

Mr. Harkanwar Jeet Singh, Assistant Advocate General,
Punjab.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in the petition under Section 438 Cr.PC is for grant of anticipatory bail to the petitioners in case FIR No.82 dated 13.07.2023 registered under Sections 406, 420 IPC registered at P.S. Fatehgarh Sahib, District Fatehgarh Sahib.

On 03.11.2023 the following order was passed:-

“ *The petitioner seeks grant of anticipatory bail in case bearing FIR No.82 dated 13.07.2023 registered under Sections 406, 420 IPC at Police Station Fatehgarh Sahib, District Fatehgarh Sahib.*

The learned counsel for the petitioner contends that a sum of Rs.3,00,000/- is to be paid to the complainant and he is ready and willing to make the said payment.

Notice of motion for 10.01.2024.

Mr. Kirat Singh Sidhu, DAG, Punjab accepts notice on behalf of the respondent-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 so as to dissuade him/her from disclosing such facts to the Court or to any police officer;*
- iii) that the petitioner(s) shall not leave the country, without prior permission of the Court and shall surrender his/her/their passport, if any.*

Meanwhile, the State counsel is directed to file an affidavit as to the exact role of the petitioner along with the details of pending FIRs, if any, on or before the next date of hearing.

Thereafter as the petitioner had not joined investigation one more opportunity was provided to him in terms of the order dated 10.01.2024 which is reproduced as under:-

“ Status report by way of affidavit of the Deputy Superintendent of Police, Sub Division Fatehgarh Sahib, District Fatehgarh Sahib filed today in the Court is taken on record.

List again on 12.01.2024.

In the meantime, the petitioner is granted one more opportunity to join the investigation as per the conditions as contained in order dated 03.11.2023.”

Despite the aforementioned orders the petitioner has not joined the investigation.

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

(JASJIT SINGH BEDI)
JUDGE

January 12, 2024
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>