

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

CRM-M-21567-2015

Date of decision: 8.7.2015

Balwant Singh Saini

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS.JUSTICE SNEH PRASHAR

Present: Mr.Paras Talwar, Advocate for the petitioner

SNEH PRASHAR, J.

The present petition under Section 438 of the Code of Criminal Procedure has been filed for grant of anticipatory bail to the petitioner in case First Information Report No.153 dated 15.6.2015 registered under Sections 419, 420, 199, 200 of the Indian Penal Code at Police Station Division No.5 Civil Lines, Ludhiana.

The accusation against the petitioner is that he appeared before the trial Court on behalf of Jaswinder Kaur as an Advocate and also signed in the column of Advocate on the Vakalatnama.

The submissions made by Mr.Paras Talwar, Counsel for the petitioner have been heard.

It is submitted on behalf of the petitioner that he had made a complaint in the Bar Council against Gurpreet Singh, who is an Advocate and had appeared on his behalf in the cases at District Courts

Ludhiana. Nursing a grudge, he implicated the petitioner in the present case. The petitioner himself never appeared in the Court as an represented before anyone that he is an advocate. Submitting that custodial interrogation of the petitioner is not required as nothing is to be recovered from him, learned counsel prayed that the petitioner be allowed anticipatory bail.

The present First Information Report was lodged against the petitioner after an inquiry was conducted by the police on the complaint made by the Secretary, District Bar Association, Ludhiana. The complaint was accompanied copies of certain documents to show that the petitioner had been appearing as an Advocate. Admittedly, the petitioner has not obtained any degree of law but *prima facie* it is apparent from the First Information Report that he signed in the column of Advocate on the Vakalatnama. In the inquiry it was found that he had moved several applications for inspection of the record signing as an Advocate. He is an educated person and was well aware of the repercussions of his wrong actions. A thorough enquiry into the entire matter is required. Release of the petitioner on anticipatory bail at this stage will completely scuttle the investigation.

Thus, in view the peculiar facts and circumstances of the case, in my considered opinion, no case for grant of anticipatory bail to the petitioner is made out and his petition is dismissed.

8.7.2015
gsv

(SNEH PRASHAR)
JUDGE