

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

CRM-M-27547 of 2016 (O&M)
Date of decision : 24.08.2016

Narinder Kumar Sharma

...Petitioner (s)

Versus

State of Punjab

...Respondent (s)

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Sandeep Arora, Advocate
for the petitioner (s).

JITENDRA CHAUHAN, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in an unknown FIR registered under Sections 409 and 420 of the Indian Penal Code (for short 'the IPC'), at Police Station Dakaha, District Ludhiana.

It is contended that during the physical inspection on 07/08.09.2012, a shortage of 47857 bags was noticed and Inspector Mela Singh was held responsible for the shortage. To secure the pre-arrest bail, the petitioner has approached four times before the learned District Judge. However, he was found not required by the Investigating Officer. Now the Investigation Officer has threatened the petitioner to implicate him in some false and baseless case. The petitioner is not required as noticed in the order dated 18.03.2015 (Annexure P-2) wherein petitioner's bail had been

rendered infructuous passed on the basis of report submitted by the SHO, Police Station Dakaha, which reads that no complaint or FIR was pending against the petitioner.

Notice of motion.

At this stage, Ms. Harsimrat Rai, DAG, Punjab accepts notice on behalf of the respondent-State.

Heard.

In these circumstances, it is ordered that in case arrest of the petitioner is warranted in the present FIR, in that eventuality he shall be given seven days prior notice.

Disposed of.

24.08.2016

ashok

**(JITENDRA CHAUHAN)
JUDGE**

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No