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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-39041-2017

Date of Decision:- December 18, 2017

Rudar Kumar

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. D.S.Pherman, Advocate,
for the petitioner.

SHEKHER DHAWAN, J.

CRM-39379-2017

Documents, Annexures P/6 and P/7 filed with the application are taken on record.

Application stands disposed of.

Main Petition

1. Present petition under Section 438 of Code of Criminal Procedure [Cr.P.C.] for grant of anticipatory bail to the petitioner in case, bearing FIR No. 63 dated 20.09.2017 registered under Sections 420 and 120-B IPC, at Police Station Kalanaur, District Gurdaspur.

2 Learned counsel for the petitioner contended that the petitioner is 80 years of age and has been falsely implicated in this case. There was no case of violation of any orders passed by this Court at any stage, rather the petitioner is a law-abiding citizen. So he be released on pre-arrest bail.

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3. Notice of motion.
4. Mr. Sidakmeet Sandhu, Assistant Advocate General, Punjab accepts notice on behalf of respondent State. At this stage, Mr. Vipin Mahajan, Advocate has appeared on behalf of the complainant.
5. Learned State counsel as well as learned counsel representing the complainant, while opposing the present application contended that vide receipt, a sum of Rs.1.00 lakh was received by present petitioner, Rudar Kumar, which is in violation of the orders passed by this Court in CWP-1611-1999 decided on 07.02.2011 and the parties were restrained from alienating the property of temple or creating any encumbrance upon the same. Even a direction was given to the revenue authorities not to register any deed qua the property except with the permission of the Court.
6. Having considered the submissions made by learned counsel for the parties this Court is of the considered view that the entire matter requires intensive investigation and no case is made out for release of the petitioner on pre-arrest bail.
7. The present petition stands dismissed.

December 18, 2017
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(SHEKHER DHAWAN)
JUDGE

Speaking/Reasoned	Yes
Reportable	No