

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-9002 of 2017 (O&M)

Date of Decision: 23.03.2017

Parvesh Malhotra

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Navdeep Chhabra, Advocate for the petitioner.

Ms. Harpreet K. Athwal, D.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This is the second petition preferred under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case F.I.R. No.3 dated 13.1.2017 under sections 353, 186, 224, 173 I.P.C, registered at Police Station, Boha, District Mansa.

Counsel for the parties have been heard.

Certain facts and circumstances which reflect on the conduct of the petitioner would require notice.

It is not in dispute that the petitioner was facing proceedings under Section 138 of Negotiable Instruments Act and in such proceedings having not associated with the trial proceedings, was declared a Proclaimed Offender.

The present FIR has been registered on the statement of H.C Jagjit Singh on the allegations that the petitioner having been directed to be arrested by the competent court under the proceedings under Section 138 of Negotiable Instruments Act, had apprehended the petitioner while he was driving a Fortuner car and was arrested and hand cuffed and put in a private Taxi car bearing registration no. PB-10-CM-4482. It is alleged that

at that point of time certain persons had gathered and in the chaos that ensued the present petitioner managed to flee from the custody of H.C. Jagjit Singh along with hand cuffs and even had torn up the arrest warrants. He is alleged to have even scuffled with the police official concerned and thereby having obstructed him in the discharge of his official duties.

In the light of such serious and grave allegations leading to the registration of the instant FIR as also bearing in mind the conduct of the petitioner in the other proceedings under Section 138 of Negotiable Instruments Act and wherein he had concededly been declared a Proclaimed Offender, this Court is not inclined to extend in his favour the concession of pre-arrest bail.

Petition, accordingly, is dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

23.03.2017

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Whether speaking/reasoned:	Yes
Whether Reportable:	Yes