

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

Crl. Misc. M-18190 of 2018 (O&M)
Date of Decision: May 04, 2018

Satish Kumar Gupta and another

...Petitioners

Versus

U.T. of Chandigarh

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Manohar Lall, Advocate
for the petitioners.

Mr. Gautam Dutt, Addl. P.P., U.T. Chandigarh.

Ms. Alka Sarin, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 438 of Cr.P.C., for grant of anticipatory bail to the petitioners in FIR No.49 dated 03.06.2017, under Sections 406, 498-A of Indian Penal Code, registered at Police Station Women, Sector 17, Chandigarh.

Learned counsel for the petitioners would contend that at the moment, there is no FIR that has been registered against the petitioners herein. In this regard, it is submitted that the aforesaid FIR dated 03.06.2017 is only qua Sanchit Gupta s/o Satish Kumar Gupta, while praying that they are ready to join the investigation.

Notice of motion has been issued in this case to the Union

Territory of Chandigarh, pursuant to which appearance has been caused by Mr. Gautam Dutt, Addl. P.P. U.T., Chandigarh and appearance has also been caused on behalf of complainant by Ms. Alka Sarin, Advocate.

Learned counsel appearing on behalf of the respondent-State, at the very outset, submits that as of now, petitioner No.2 Ankit Gupta is not required, therefore, the instant petition qua petitioner No.2 Ankit Gupta has been rendered infructuous, at the present moment.

Ordered accordingly.

Learned counsel appearing on behalf of the respondent-State as well as complainant further submit that the complaint, in fact has been filed against four persons namely Sanchit Gupta s/o Satish Kumar Gupta, Ankit Gupta s/o Satish Kumar Gupta, Satish Kumar Gupta s/o S.L. Gupta and Meenu Gupta w/o Satish Kumar Gupta, while also submitting that the role of the other persons named in the complaint is yet to be looked into during the investigation. Learned counsel appearing on behalf of the complainant also submits that the petitioner herein along with others are deliberately evading their appearance and PO proceedings have been initiated against them.

I have heard learned counsel for the parties, apart from perusing the record.

In view of the submissions made hereinabove and on perusing the complaint filed and the order dated 08.12.2017 passed in CRM-M-31528 of 2017 wherein, the anticipatory bail petition of Sanchit Gupta has been dismissed, this court is not inclined to grant the relief of anticipatory bail to petitioner No.1 Satish Kumar Gupta. However, in case, petitioner No.1 Satish Kumar Gupta is arrested and moves the appropriate application for regular bail, the same be decided on the same day.

The petition in hand is accordingly dismissed qua petitioner
No.1 Satish Kumar Gupta, with the aforesaid directions.

May 04, 2018
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No