

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

CRM-M-14315-2019

DATE OF DECISION:-29.03.2019

RAJINDER SINGH

...PETITIONER...

V.

STATE OF PUNJAB

...RESPONDENT...

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Umesh Aggarwal, Advocate for
Mr. Ajay Singh Gurah, Advocate for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Prayer in the instant petition under Section 438 Cr.P.C. has been made for grant of anticipatory bail to the petitioner, in case, FIR No.0414, dated 28.12.2018, under Section 409 IPC, Police Station Division No.5, Ludhiana, Punjab.

According to the prosecution, petitioner, as Additional Ahlmad in the Court of Mr. Sanjiv Joshi, the then Additional Sessions Judge, Ludhiana, withered away the inquiry file pertaining to Complaint No.349-DIG dated 06.12.2014 containing 222 pages and noting therein from page 1 to 9, in case titled as "State vs. Gurpreet Singh and others" pertaining to FIR No.171/2014, under Sections 302, 307 and 323 IPC, registered at Police Station Sahnewal, Ludhiana. This fact came to the knowledge of successor Additional Sessions Judge, Ludhiana in the month of July 2018. He reported the matter to District

and Sessions Judge, Ludhiana, who further informed this Court. Whereupon order for reconstruction of file was passed with direction to hold inquiry to fix the responsibility of delinquent official(s) for its loss.

In compliance to the same, Id. Additional District Judge, Ludhiana, on holding preliminary inquiry held the petitioner guilty for the loss of the aforesaid file. Consequently, this Court in CRM-M-45634-2018, titled as "Dilpreet Singh vs. State of Punjab and others" ordered for registration of FIR against him.

Learned counsel contends that petitioner was transferred way back from the concerned court. He has illegally been held guilty on account of his absence from duty. Since January 2018, the petitioner was absent on account of his matrimonial dispute with his wife and not that he had withered away with the aforesaid file. He is innocent.

Considering the seriousness of allegations against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

Dismissed.

29.03.2019

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(RAMENDRA JAIN)

JUDGE

whether speaking/reasoned:

Yes/No

whether reportable:

Yes/No