

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

CRM-M-9262 of 2020

Date of Decision:-04.03.2020

Lovely Kumar @ Ravi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Shubhashish Kukreti, Advocate
for the petitioner.

Mr. A.P.S. Gill, DAG, Punjab.

JASGURPREET SINGH PURI J.(Oral)

Petitioner-Lovely Kumar @ Ravi has filed the present petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.0032 dated 08.2.2020 under Section 379 IPC, registered at Police Station City Rajpura, District Patiala.

Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in the present case and therefore the police is unnecessarily raiding upon the petitioner and therefore he be granted anticipatory bail in this case. He further submits that as per the FIR no case against the petitioner is made out.

This Court while issuing of notice of motion on 02.3.2020 had

recorded the contention of learned counsel for the petitioner to the effect that no case is made out against the petitioner. However, in the said order this Court had also observed that it is necessary to ascertain from the State whether the petitioner is involved in any case or not. The notice of motion was issued for today.

Learned State counsel on instructions from the investigating officer has stated that in the present case in fact the petitioner was arrested on 08.2.2020 and while he was being taken to the Court, he fled away from the police custody and from that time he has been on run and despite efforts he was not apprehended. He has further submitted that thereupon another FIR No.32 was lodged against the petitioner under Section 224 IPC. He has further submitted that there is another FIR No.128 dated 30.11.2019 under Section 380 IPC against the petitioner, which is pending investigation. He has further submitted that the present petition for grant of anticipatory bail to the petitioner is not only misconceived but is also not maintainable in view of the fact that the petitioner was arrested by the police in the present FIR but he managed to escape from the police custody and therefore he does not deserve any consession of anticipatory bail.

I have heard learned counsel for the parties and gone through the records.

In the present case since the stand taken by the learned State counsel that probably there is another FIR pertaining to theft was pending against the petitioner but in the present case itself the petitioner had escaped from the police custody after was being arrested and was taken to the Court,

therefore, such a petition would not only be misconceived and non-maintainable but would also be classic example of the abuse of the process of law.

In view of the above, this Court does not deem it fit to interfere in the present petition and therefore, the present petition is dismissed.

March 04, 2020
Vijay Asija

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No