

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

CRM-M-29675-2020
Date of decision : 25.09.2020

Jaswant Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Harpal S. Sidhu, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This is the second petition that has been filed for grant of anticipatory bail to the petitioner in FIR No. 10 dated 10.01.2017, registered under Sections 380 and 457 of the IPC at Police Station Sadar, District Amritsar.

The first petition, bearing **CRM-M-20543-2017**, was dismissed on merits by passing the following order on 29.08.2017:

“....From the record, I find that as per the FIR, the allegations are that 60 shuttering plates of iron of different sizes have been stolen during the intervening night of 07/08.01.2017. It is also in the FIR that this occurrence has been done by Kuwant Singh and his brother Jarnail Singh. Learned State counsel stated that one co-accused has been arrested and 15 shuttering plates have been recovered from him and he has also made disclosure statement naming the petitioners and other co-accused.

Keeping in view the facts and circumstance of the present case, I find that the petitioners are required for custodial interrogation and investigation and recovery of stolen shuttering plates is yet to be effected.

Therefore, finding no merit in the present petition, the same is dismissed.”

There present petition has been filed after a long lapse of about three years. Learned counsel for the petitioner could not make out any new ground and has sought to argue the case on the same grounds which were available to petitioner when his first petition was dismissed.

Learned State counsel has submitted that petitioner is absconding from the Court proceedings and, therefore, he is not entitled to get the concession of anticipatory bail.

I have heard learned counsel for the parties.

The FIR pertains to the year 2017 and despite the lapse of almost three and a half year, the petitioner has neither surrendered before the Court/police nor is allowing the completion of investigation. Therefore, this Court finds no ground to entertain the present petition at this belated stage, moreover, when no new ground is made out by learned counsel for the petitioner.

Accordingly, the petition is dismissed.

The Commissioner of Police, Amritsar is directed to ensure that petitioner is arrested within a period of one month from today and submit a report before the Registrar General of this Court in this regard. In case, the petitioner is not arrested within the stipulated time, the Commissioner of Police, Amritsar shall file an explanation as to why the petitioner could not be arrested.

25.09.2020

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No