106

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No.30243 of 2020
Date of Decision : 29.09.2020

Jatinder @ Soni

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Simranjeet S. Sarwara, Advocate
for the Petitioner.

SUDIP AHLUWALIA, J. (ORAL)

The instant Petition has been filed under Section 438 of the Code of Criminal Procedure seeking Anticipatory Bail on behalf of the Petitioner in case FIR No.88, dated 23rd May, 2011, registered under Section 379 of the Indian Penal Code, 1860 at Police Station Chandi Mandir, District Panchkula.

2. Notice of motion.

3. Mr. Anmol Malik, Dy. Advocate General, Haryana to accept notice on behalf of the Respondent/State. A copy of the Paper-book be handed over to him.

4. Ld. Counsel for the Petitioner submits that he is a resident of Village Danrala since the Year 2012-13 although the Processes against him were issued on his previous address of Village Pandwala under Police Station Derabassi, District S.A.S. Nagar, Mohali, on account of which, he was not aware of the same, and also draws attention of the Court to

DEEPAK KUMAR
2020.09.29 13:12
I attest to the accuracy and
integrity of this document

Annexure P-2 in which his present address has been noted apart from the previous address which was originally shown in the Case Records.

5. Submits further that the story of the Petitioner having mortgaged the stolen motorcycle with one Nikhil Goel is improbable as no rational person would accept such security without perusing documents of the concerned Vehicle, and in any case the said Mortgagee has not been arraigned as an accused/Receiver of stolen property.

6. In the opinion of the Court irrespective of the merits of the Petitioner's contentions *qua* the allegations made against him, he cannot be granted Anticipatory Bail since admittedly as of now he is a Proclaimed Person.

7. The matter is therefore disposed off with liberty to the Petitioner to surrender before the Ld. Trial Court within a week from today and if he so does, an appropriate order on his Bail Application shall be passed by the Ld. Court below expeditiously.

September 29, 2020 **(SUDIP AHLUWALIA)**
Dpr **JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

DEEPAK KUMAR
2020.09.29 13:12
I attest to the accuracy and
integrity of this document