

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M- 36164 of 2020

Date of Decision: 05.11.2020

Amit Kumar

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Naveen Batra, Advocate
for the petitioner(s).

Mr. Luvinder Sofat, Assistant Advocate
General, Punjab for the respondent.

Mr. Navkiran Singh, Advocate
for the complainant.

Anil Kshetarpal, J.

This is second petition for grant of pre-arrest bail to the petitioner in a criminal case arising from FIR No. 31, dated 02.05.2016, registered under Section 420, 468, 471 & 120-B IPC, at Police Station Bhadson, District Patiala.

The first petition, filed by the petitioner, vide Criminal Misc. No. M-31705 of 2018, was dismissed on 22.07.2019, with the following order:

“By this order, CRM-M-31705, 34727, 39067 and 52007 of 2018 shall stand disposed of.

‘In all these petitions, prayer is for grant of pre-arrest bail.

The present FIR has been registered at the behest of Government officials of District Administration who have found that the petitioners who are colonizers/developers have

sold the plots to more than 400 people without getting the colony approved. Even some part of the Shamlat land (common land) has also been sold. The colonizers have also sold the land reserved for roads and parks. The FIR was registered after getting preliminary investigation carries out.

This Court has heard learned counsel for the parties at length. It would not be appropriate for this Court to express any opinion on the merits of the case lest it may prejudice the case of the parties. In the considered view of this Court, there are serious allegations and District Administration has registered the FIR after getting the preliminary enquiry into the matter. There are 400 plot holders, most of them have already constructed their houses.

In these circumstances, there is no ground to grant extraordinary relief of pre-arrest bail.

All the petitions are dismissed”.

Still further, the second petition filed for grant of pre-arrest bail to the co-accused has also been dismissed vide Criminal Misc. No. M-22943 of 2020, decided on 17.08.2020.

In view of the above, no ground is made out to grant the concession of pre-arrest bail to the petitioner and hence the petition is dismissed.

(Anil Kshetarpal)
Judge

November 05, 2020

“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No