

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

**CRM-M No.47929 of 2019
Date of Decision: 14.01.2020**

Balbir Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Prateek Pandit, Advocate
for the petitioner.

Mr. Avtar Singh Sandhu, Addl. A.G., Punjab.

SUDIP AHLUWALIA J. (ORAL)

The instant petition has been filed under Section 438 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking anticipatory bail in case DDR No.25 dated 06.07.2019, registered under Sections 201 and 219 of the IPC in FIR No.178, dated 05.08.2013 under Sections 406, 465, 468, 471 and 120-B of the IPC at Police Station Navi Baradari, District Jalandhar.

2. Heard both sides.

3. Admittedly, the offences under Sections 420, 406, 448, 465, 467, 468, 471, 474 and 120-B of the IPC were the subject matter of the original FIR No.3 dated 13.02.2012. The inquiry was marked to the present petitioner, who is thereafter alleged to have issued a false/fictitious letter dated 20.09.2012 (Annexure P-4) in the form of a Reminder recommending that the accused persons in the said FIR be not

arrested and the PO proceedings against them be also got cancelled, even though on the same date, he had admittedly issued a letter to the SHO, Police Station NRI, Jalandhar (Annexure P-3) for notifying the accused to join inquiry.

4. The above offences, thus, imputed to the petitioner clearly are not part of the original transaction involving the property related offences, which was the subject matter of FIR No.3 dated 13.02.2012, and at the most, relate to Sections 201 and 219 of the IPC which have also been specified in DDR No.25 dated 06.07.2019. Both the offences are bailable, on account of which, the present petition under Section 438 of the Cr.P.C. is redundant.

5. Even in answer to the Court's specific query, Ld. State Counsel in all fairness submits that rest of the offences covered under Sections 406, 465, 468, 471 and 120-B of the IPC in FIR No.178 dated 05.08.2013 would not be attributable to the petitioner.

6. In view of the aforesaid observations, the present petition is, therefore, dismissed.

January 14, 2020

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**(SUDIP AHLUWALIA)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No