

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 114

CRM-M-11870-2021

Date of decision : 16.03.2021

Gurpreet Singh @ Jolly

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Sukhmeet Singh, Advocate, for the petitioner.

Mr.Amit Mehta, Sr.DAG, Punjab.

DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.25 dated 02.02.2020, registered under Section 379 IPC at Police Station Koom Kalan, district Ludhiana.

The petitioner is being prosecuted for having stolen the complainant's shuttering material.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case; the FIR has been lodged after an unexplained delay of two months; the petitioner does not have any shuttering articles of the complainant and that the petitioner is ready and willing to join the investigation as and when called by the investigating agency.

Admittedly, after being convicted by the Trial Court under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 the petitioner was sentenced to ten years' rigorous imprisonment and while on bail granted to him by this Court in the appeal filed by him against such conviction he is alleged to have committed the crime which is the subject matter of the present case. Thus, the petitioner has misused the concession of bail so granted to him.

In view of the above conduct of the petitioner as also for the reason that the shuttering material of the complainant is yet to be recovered from the petitioner, this Court is of the opinion that the petitioner is not entitled to the grant of anticipatory bail.

Dismissed.

16.03.2021
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No