

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

CRM-M-25265-2021
Date of decision:-9.7.2021

Sandeep Kumar

...Petitioner

Versus

UT Chandigarh and another

...Respondents

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Mr.Amandeep Vashisth, Advocate
for the petitioner.

Mr.Sumit Jain, APP, UT, Chandigarh.

H.S. MADAAN, J.

Case taken up through video conferencing.

This petition under Section 438 Cr.P.C. for pre-arrest bail has been filed by the petitioner Sandeep Kumar, an accused in private complaint titled 'Ravinder Singh Gill Versus Sandeep Kumar' pending in the Court of Judicial Magistrate Ist Class, Chandigarh. As pleaded in the petition, petitioner Sandeep Kumar could not appear in the proceedings in the complaint case for the reason that he was arrested by police of Ludhiana in case FIR No.223 dated 18.9.2017 under Sections 420, 467, 468, 471 IPC, registered with Police Station Model Town, Ludhiana and was lodged in Central Jail, Ludhiana. He could not inform his counsel and the Court of learned Judicial Magistrate Ist Class in that regard with the result his bail was cancelled and bonds were forfeited and he was ordered to be summoned through non-bailable warrants of arrest for 9.8.2021. As

such he is craving for grant of pre-arrest bail.

After hearing learned counsel for the petitioner and going through the record, I find that no case for pre-arrest bail is made out since this relief is meant to save the innocent persons from harassment and inconvenience and not to screen the culprits from arrest and custodial interrogation and not the persons who are absconders to avoid the process of law. The petitioner instead of surrendering in the Court of JMIC, Chandigarh and rendering necessary explanation has approached this Court seeking pre-arrest bail in an attempt to bye-pass the Court of JMIC, Chandigarh, which cannot be allowed.

Therefore, the petition stands dismissed.

However, the petitioner is directed to surrender in the Court of JMIC, Chandigarh within 10 days from today and on his doing so and moving application for regular bail, the same be decided expeditiously.

9.7.2021

Brij

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No

(H.S.MADAAN)

JUDGE