

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(102)

CRM No. M-31452 of 2021
Date of Decision : 12.08.2021

Manjeet Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

(through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Ms. Shubreet Kaur Saron, Advocate for the petitioner.

Mr. Sandeep Kumar, Deputy Advocate General, Punjab.
(keeping in view advance copy given)

Harsimran Singh Sethi J. (Oral)

Learned counsel appearing on behalf of the petitioner submits that though in the present petition, the challenge is to the order 06.07.2021 (Annexure P-13) passed by the learned Additional Session Judge, Ludhiana by which benefit of anticipatory bail has been extended to respondents No. 2 and 3 in respect of FIR No. 34, dated 12.04.2021 (Annexure P-3), registered under Sections 447, 448, 506, 427, 380, 34 IPC but the petitioner is primarily aggrieved against the findings, which have been recorded by the Court below while granting the anticipatory bail.

Learned counsel for the petitioner further submits that those findings are going to cause prejudice to the petitioner during the trial or

other litigations pending between the parties and such findings could have only been rendered after appreciating the evidence and facts, which are yet to come on record during the trial.

The opinion if any rendered in order which has been passed by the Court below granting anticipatory bail, is tentative and that too only relating to that respondents No. 2 and 3 are entitled for the concession of anticipatory bail. The apprehension of the petitioner that the opinion, if any rendered by the Court below while passing the impugned order, is going to create prejudice to the petitioner, is misplaced for the reason that the final order will be passed on the basis of the evidence coupled with facts, which will come on record during the trial. The opinion of the Court below, if any, recorded in the impugned order is a *prima-facie*, opinion, which will not influence the trial Court unless and until any evidence is brought on record to substantiate that opinion.

Learned counsel for the petitioner states that keeping in view the above, she does not wish to press this petition any further and the same may be disposed of as such.

Ordered accordingly.

August 12, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No