

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

**CRM-M No.33500 of 2020 (O&M)
Date of Decision.08.02.2021
(Heard through VC)**

Mohd. Salim alias Salim Khan & others

...Petitioners

Vs

State of Punjab and others

...Respondents

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. K.S. Dadwal, Advocate
for the petitioners.

Ms. Rashmi Attri, DAG, Punjab.

Mr. GPS Bal, Advocate
for respondents No.5 to 7.

-.-

JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed for grant of anticipatory/blanket bail to the petitioners in the event of their arrest, in any FIR registered under the provisions of cognizable offence at the behest of respondents No.5 to 7 under jurisdiction of respondents No.2 to 4 due to ongoing tussle, dispute and controversy between the petitioners and private respondents No.5 to 7 as threats have also been extended to the petitioners for their false involvement in the criminal case and in case, any FIR is registered against the petitioners at the behest of respondent No.5 to 7, seven days notice be given by respondents No.2 to 4 to the petitioners in the eventuality of their arrest.

Counsel for the petitioner *inter alia* would contend that respondent No.6 by mis-utilizing his official powers got registered FIR No.146 dated 17.08.2020 under Section 25 of the Arms Act at Police

Station Sector 17, Chandigarh and subsequently, another FIR No.77 dated 10.09.2020 under Sections 420, 465, 468, 471, 115, 506, 120-B IPC (Section 408 IPC added later on) has been registered against petitioners No.3, 4 and 6 at Police Station Naya Gaon, District SAS Nagar. Petitioner No.3 has been granted regular bail by this High Court vide order dated 28.09.2020 passed in CRM-M No.29340 of 2020 in FIR No.146 dated 17.08.2020 under Section 25 of the Arms Act registered at Police Station, Sector 17, Chandigarh. Since the petitioners were apprehending danger to their life and liberty, they filed CRWP No.7555 of 2020 seeking protection to their life and liberty, in which petition, this High Court has directed the police authorities to ensure protection to the life and liberty of petitioner No.4 and her family members. It is also argued that owing to tussle and controversy between the petitioners and private respondents, petitioners herein have apprehension that they would be implicated in false criminal cases and therefore, pray for grant of anticipatory/blanket bail, while further contending that various representations have been made to the police authorities with regard to aforesaid apprehension but no action has been taken so far.

Learned counsel appearing on behalf of the respondent-State opposes grant of blanket bail to the petitioners by contending that the police authorities are conducting a fair and impartial investigation in the matter and strenuous efforts are being made to take the investigation at its logical end. Petitioner No.3 is in custody whereas petitioners No.4 and 6 have been released on bail. As far as petitioners No.1, 2, 5 and 7 are concerned, they are neither wanted in FIR No.77 dated 10.09.2020 nor in any other case or

complaint.

Similar arguments were addressed by the counsel appearing for the private respondents.

I have heard learned counsel for the parties and have perused the paper book.

Keeping in view the fact that the main accused i.e. petitioner No.3 is under custody in FIR No.77 dated 10.09.2020 and the fact that the respondent-State has categorically stated in the reply filed that petitioners No.4 and 6 have been released on bail in that FIR and as far as petitioners No.1, 2, 5 and 7 are concerned, they are neither wanted in FIR No.77 dated 10.09.2020 nor in any other case or complaint, the instant petition is disposed of with a direction that in case the respondent-State is contemplating registration of any FIR on the basis any complaint that has been received by them at the behest of any of the private respondents in addition to FIR No.77 dated 10.09.2020 and arrest the petitioners, they will do so after issuance of necessary advance notice of 07 days to the petitioners as envisaged under Section 41-A Cr.P.C.

(JAISHREE THAKUR)
JUDGE

February 08, 2021

Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No