

101 **IN THE HIGH COURT OF PUNJAB AND HARYANA**
AT CHANDIGARH
(through video conferencing)

CRM-M-484-2022
Decided on : 10.02.2022

Arun Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Arnav Sood, Advocate
 for the petitioner.

Manjari Nehru Kaul, J.(Oral)

The petitioner is seeking grant of anticipatory bail in case FIR No.80 dated 09.10.2021 under Sections 406, 498-A IPC registered at Police Station City Banga District Shaheed Bhagat Singh Nagar.

Learned counsel for the petitioner inter alia contends that subsequent to his marriage with the complainant in the year 2017, they both had been leading a happy married life. The dispute between them arose only after the complainant started pressurizing him to ask for his share in the property of his father. However, he refused to oblige her, as a result of which, their marriage ran into rough weather. Learned counsel submits that it was thus, for reasons but obvious just to harass the petitioner, the complainant planted the instant case on him. He further submits that similarly situated co-accused i.e. his father Rajnish Kumar @ Rajnish Singh has been extended the concession of interim bail by this Court vide order dated 30.11.2021.

Heard learned counsel and perused the paper book.

It has not been disputed by the learned counsel for the petitioner that he is involved in the following three criminal cases:

1. FIR No. 25, dated 28.03.2010, u/s 302, 307, 34 IPC, PS Nangal, District Roopnagar.
2. FIR No.4 of 2018, u/s 21, 22, 25, 29, 61, 85 of NDPS Act, PS State Special Operation Cell.
3. FIR No. 64 of 2018, u/s 307, 148, 149, 427, 212, 216, 120-B IPC, PS Phase-I, SAS Nagar.

Since the concession of anticipatory bail is an extra ordinary concession, this Court cannot ignore the criminal antecedents of the petitioner-accused. Rather his involvement in criminal cases would be a relevant consideration while deciding this petition under Section 438 Cr.PC. Though it was urged by the learned counsel that his case was at parity with that of co-accused Rajnish Kumar @ Rajnish Singh, who had already been extended the concession of anticipatory bail vide order dated 30.11.2021, however, this Court does not find any merit in the said submission as admittedly co-accused Rajnish Kumar @ Rajnish Singh is not involved in any other criminal case.

In the facts and circumstances as enumerated hereinabove, in particular the criminal antecedents of the petitioner, this Court is not inclined to extend the extra ordinary concession of anticipatory bail.

Accordingly, the present petition stands dismissed.

(MANJARI NEHRU KAUL)
JUDGE

10.02.2022
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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No