

**203+101 IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH**

**CRM-M-35184-2022 (O&M)**

**Date of Decision: 14<sup>th</sup> November, 2022**

Lal Singh

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN**

Present: Mr.GPS Bal, Advocate for the petitioner.

Mr. APS Tung, DAG, Punjab.

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**AVNEESH JHINGAN , J.(Oral)**

This petition is filed seeking ad interim/anticipatory bail to the petitioner in case of FIR No. 50 dated 20.6.2022 under Section 409 of the IPC and Sections 13 (1) A, 13(2) of the Prevention of Corruption Act registered at P.S. Valtaha, Tarn Taran.

Learned counsel for the petitioner submits that on the same fact two FIRs have been registered i.e. the present FIR and the FIR No. 16 dated 14.9.2022 under Sections 406, 409, 420, 468, 471, 120-B IPC and Sections 13 (1) (a) read with Section 13 (2) of Prevention of Corruption Act, 1988 registered at P.S. Vigilance Bureau, Range Amritsar. In FIR No. 16, the petitioner was granted interim anticipatory bail by the Sessions Court. The order was withdrawn as petitioner could not join due to lodging of the present FIR. He has also relied upon the contents of paragraph No. 4 of the reply which is quoted herein below :-

*“4. That Criminal Procedure Code has been duly followed as after the registration of the case, two notices were*

*issued to the petitioner to join the investigation of the present case under Section 41-A Cr.P.C vide numbers 175-5P dated 08.08.2022 and 194-5P dated 16.08.2022 and the same were sent to the petitioner's house through ASI Gurvel Singh and ASI Partap Singh of Police station Valtoha. House of the petitioner was found locked. He appears to have left his house on account of apprehension of arrest. Therefore, notices could not be served upon the petitioner.”*

He submits that the petitioner appeared before the the DSP concerned and he was told that he would be called again but he was never called. The contention is that the petitioner is ready to comply with the notices under Section 41A Cr.P.C.

Learned State Counsel on instructions from SI Satnam Singh submits that let the petitioner appear on or before 18.11.2022 in compliance of notice under Section 41A Cr.P.C. and in case the petitioner is to be arrested, he would be given three days notice.

In view of the statement made by learned State Counsel, petition is disposed of.

Since the main case has been decided, the pending application, if any is rendered infructuous.

**(AVNEESH JHINGAN )  
JUDGE**

**14<sup>th</sup> November, 2022**

*anuradha*

Whether reasoned/speaking  
Whether reportable

Yes/No  
Yes/No