

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-23829-2023

DATE OF DECISION: MAY 11, 2023

KAMALJIT SINGH @ BABBU

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA.

PRESENT: MR. JAGMEET SINGH MOUDGIL, ADVOCATE
FOR THE PETITIONER.

MR. P.S. GREWAL, DAG, PUNJAB.

DEEPAK MANCHANDA, J.(ORAL)

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.69 dated 22.4.2023, under Section 420, 406 IPC, Police Station Bhawanigarh, District Sangrur.

Learned counsel for the petitioner submits that as per the case of the prosecution, the petitioner is alleged to have taken shuttering material from the complainant on 1.4.2023 on rent and never returned the same. Learned counsel contends that a false case has been foisted upon the petitioner and the petitioner never visited the shop of the complainant and took nothing on rent.

Learned State counsel submits that the petitioner is the sole accused in the FIR and a specific allegation has been levelled against him. Therefore, to elicit the truth, the custody of the petitioner is required.

A perusal of the FIR shows that the petitioner has been specifically named in the FIR and nothing has been brought on record to

show that the complainant has any animosity with petitioner and has named him for some ulterior motive.

This Court finds that the matter needs investigation qua the involvement of the petitioner in the alleged crime. Therefore, the petition is dismissed.

May 11, 2023
Gulati

(DEEPAK MANCHANDA)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No