

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

**COCP-2391-2021 (O&M)
Date of decision: 20.01.2023**

Mukhtiar Singh

...Petitioner

Versus

Karnail Singh Pannu and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. H. P. S. Ishar, Advocate
for the petitioner.

Mr. Ayush Sarna, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner alleges violation of the directions/guidelines issued by the Hon'ble Supreme Court in the case of *Arnesh Kumar vs. State of Bihar & another, 2014 (8) SCC 73*.

It is submitted that FIR No. 120 dated 05.10.2021, under Sections 379, 411 IPC was registered and the petitioner was arrested without following the directions/guidelines issued by the Hon'ble Supreme Court in *Arnesh Kumar's* case (supra).

Reply, filed by way of the affidavit of the ASI Mukhtiar Singh, PS-City-1, Khanna, is on record, wherein it is stated that the FIR was registered on a complaint given by Block Development and Panchayat Officer, Doraha along with photographs alleging that the petitioner has committed theft of Bamboo trees belonging to the Gram Panchayat. It is further stated that since the FIR was registered under Sections 379, 411 IPC and the recovery of the stolen articles was effected from the petitioner, therefore, the petitioner was arrested.

In view of the same, no case of contempt is made out.

Dismissed.

The petitioner is granted liberty to avail his alternative remedy in accordance with law, if so advised.

20.01.2023
Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No