

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

CRM-M No.48767 of 2022
Date of decision: 24th May, 2023

Manjit Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Vishavjeet S. Rishi, Advocate for the petitioner.
Mr. Ramdeep Pratap Singh, Sr. DAG, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of anticipatory bail in FIR No.206 dated 05.10.2021 for the offences under Sections 304, 34 IPC registered at Police Station Sahnewal, District Ludhiana (Annexure P-1).

2. On the last date of hearing, on a pointed query put to the learned counsel for the petitioner as to how a second anticipatory bail was maintainable, after the first petition under Section 438 Cr.P.C. was dismissed on merits, it was submitted by him that there had been a material change in circumstances as the prosecution witnesses had turned hostile qua the co-accused who were already facing trial. When a further query was put to the learned counsel as to whether the petitioner had been declared a proclaimed offender, as challan qua him

had not been presented, more so when he was not even placed in column No.2, he replied in the negative. Resultantly, this Court had sought a report from the State as to what steps had been taken by the police to nab the petitioner, who had been on the run ever since the dismissal of his previous petition under Section 438 Cr.P.C. on 12.05.2022.

3. Learned State counsel, on instructions, has apprised the Court today that an enquiry was carried out and action has since been initiated against the police officials concerned, who had failed to take any steps to nab the petitioner or even for that matter, move the Court concerned for initiation of proceedings under Section 82 of the Cr.P.C.

4. I have heard learned counsel for the parties and perused the relevant material on record.

5. This Court does not deem it fit to extend the concession of anticipatory bail to the petitioner as the previous petition seeking similar relief was dismissed on merits on 12.05.2022. The contention of the learned counsel for the petitioner that the witnesses had turned hostile qua the co-accused, who had been facing trial, is totally bereft of any merit. As and when the petitioner is apprehended by the police, a supplementary challan would be presented against him and he would have to face trial as per law, hence, the factum of the witnesses turning hostile during trial of co-accused would not in any manner benefit the petitioner.

6. The petition accordingly stands dismissed.

7. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

May 24, 2023
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No