

206 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-50134-2022

Date of Decision:28.04.2023

GURDEEP SINGH BAJWA

..... Petitioner

Versus

STATE OF PUNJAB

..... Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Gulzar Mohammad, Advocate for the petitioner.

Mr. Shiva Khurmi, AAG, Punjab
assisted by SI Manpreet Kaur.

Mr. Ankur Malik, Advocate for respondent No.2.

JAGMOHAN BANSAL, J. (Oral)

On 30.11.2022 following order was passed:

“CRM-43404-2022

Application is allowed as prayed for. Copies of Aadhar Cards are taken on record as Annexure P-5 (colly).

CRM-M-50134-2022

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in FIR No.0251 dated 08.10.2022, registered for offences under Sections 376, 354-B, 506 of the Indian Penal Code, 1860 and Sections 25 and 27 of the Arms Act, 1959, at Police Station Jamalpur, Police Commissionerate, Ludhiana, Annexure P-1.

Counsel for the petitioner contends that the petitioner is 62 year old landlord and the prosecutrix and her husband has taken a room on rent on the premises of the petitioner. He submits that a dispute arose between the parties regarding payment of rent and production of documents and FIR, Annexure P-1, has been lodged on the basis of false allegations.

Reliance has been made upon the declaration, Annexure P-2, given by the other tenants in the premises.

Notice of motion.

On asking of the Court, Mr. P.S.Grewal, DAG, Punjab, accepts notice on behalf of the respondent-State. He seeks and is granted time to file a status report.

List on 15.03.2023.

In the meanwhile, arrest of the petitioner shall remain stayed till the next date.”

By order dated 15.03.2023, the petitioner was directed to join investigation and appear before Investigating Officer on 21.03.2023 and cooperate in the investigation.

On 24.04.2023, learned State counsel submitted that petitioner is not coming forward to give his blood sample which is necessary for DNA profile. Learned counsel for the petitioner sought time to make sure that petitioner will appear before Investigating Officer and give his blood sample.

In view of the fact that despite repeated opportunities, petitioner did not cooperate with the Investigating Officer, the petitioner does not deserve the concession of anticipatory bail.

Accordingly dismissed.

(JAGMOHAN BANSAL)
JUDGE

28.04.2023
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No