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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-52189-2023

Date of Decision: 14.12.2023

Sikander

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. A.S. Rai, Advocate,
for the petitioner.

Mr. Ramdeep Partap Singh, Sr. DAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case bearing FIR No.30 dated 05.04.2023, under Sections 457 & 380 IPC, registered at Police Station Payal, District Ludhiana.

2. Learned counsel for the petitioner submitted that the petitioner is apprehending arrest at the hands of the police in the aforesaid FIR and it is quite probable that he will be falsely implicated in the present case.

3. On the other hand, Mr. Ramdeep Partap Singh, learned Sr. Deputy Advocate General, Punjab, while referring to the affidavit filed by the DSP, Sub Division Payal, Police District Khanna, District Ludhiana especially referring to Para No.5, submitted that although the petitioner is involved in other case but in the present FIR, the petitioner has not been nominated till date but taking into consideration the previous involvement of the petitioner in the similar nature of offence of theft, his examination

regarding the facts of his presence nearby the spot is very much essential for proper investigation of the present FIR. He further submitted that since the petitioner is not nominated in the present FIR, he cannot be granted the concession of anticipatory bail but in case the petitioner is to be nominated and his arrest is required to be made, then the police will give 5 days' written notice to the petitioner in advance.

4. In view of the above, the present petition is disposed of.

14.12.2023
Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |