

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.56637 of 2023 (O&M)
DATE OF DECISION: 09th NOVEMBER, 2023

Daljit Kumar @ Jitu

.... **Petitioner**

Versus

State of Punjab

.... **Respondent**

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Bhupinder Singh Kundra, Advocate for the petitioner.

* * * *

RAJBIR SEHRAWAT, J. (Oral)

CRM-47288-2023

Allowed, as prayed for.

Main Case

1. The present petition has been filed by the petitioner under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No.143 dated 10.11.2020 registered under Sections 458, 365, 342, 323 and 34 IPC at Police Station Tappa Mandi, District Barnala (Punjab).

2. It is submitted by learned counsel for the petitioner that the case against the petitioner is totally concocted. The petitioner is not involved in the crime as alleged against him. It is further submitted that the FIR is of the year 2020. Despite that, the police had not considered it appropriate to arrest the petitioner. However, now; to extract the money from the petitioner, the police are threatening and are trying to arrest him. Therefore, he has been forced to approach this Court. The petitioner is ready to join the investigation as and when called by the Investigating

Officer. Therefore, the petitioner deserves to be protected against their arrest.

3. Notice of motion.
4. Mr. Sandeep, Additional Advocate General, Punjab, accepts notice on behalf of the State.
5. Learned State Counsel, being instructed by ASI Gurtej Singh, has submitted that the police have conducted various raids at the house of the petitioner. However, the petitioner could not be arrested.
6. Since, the police have shown its extreme inefficiency in conduct of the investigation of the case and they have not considered it necessary to arrest the petitioner in the long duration of three years, therefore, it would not be unjustified to protect the petitioner from his arrest now, at this belated stage.
7. In view of the above, but without commenting any further upon merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail. Therefore, it is directed that in case of his arrest, the petitioner shall be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of Arresting/Investigating Officer. However, it is further directed that the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

09th NOVEMBER, 2023
'sandeep'

(RAJBIR SEHRAWAT)
JUDGE

Whether speaking/reasoned:	Yes	No
Whether Reportable:	Yes	No