

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-7508-2024 (O&M)

Date of order: 07.08.2024

Vikas Kumar

... Petitioner(s)

Versus

State of Punjab & others

...Respondent (s)

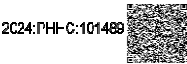
CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. N.S. Mahal, Advocate
for the petitioner(s).

Ms. Swati Batra, DAG, Punjab (through VC).

ANOOP CHITKARA, J.

1. Seeking protection from undue harassment of police agency, claiming that they are under the influence of respondent no.9, the petitioner has come up before this Court by filing the present writ petition under Article 226 of the Constitution of India.
2. This Court vide order dated 6.8.2024 had asked the State to get instructions in this matter.
3. State's counsel, on instructions from ASI Raman Dhaliwal, ASI Nishant Singh and ASI Narender Singh, submits that earlier, FIR no.480 dated 22.12.2020 was registered against the petitioner at Police Station Zirakpur under Sections 420 IPC, 21 NDPS Act and 3 & 13-A Punjab Gambling Act. In that FIR, an SIT was constituted, in which the investigator was under the influence and wanted to delete the offences, based on which FIR was registered against the said investigator. In the meantime, another FIR i.e. FIR No.97/2024 under Section 306 IPC was registered at Patiala, in which the petitioner has been explicitly named. He got interim protection but did not join the investigation. Now, another FIR i.e. FIR No.135 /2024 under Section 384/506 IPC has been registered, but as of date, whether the petitioner will be arrested or not in that case, will depend upon the investigation and other factors. State's counsel submits that if the petitioner apprehends arrest in FIR no.135/2024, he has a statutory



remedy under Section 482 BNSS for anticipatory bail and this writ petition is not maintainable.

4. In the entirety of the facts and circumstances of the case, given the stand taken by the State, it is not a case for the issuance of a writ, as prayed for.

5. Accordingly, the present petition is dismissed. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

August 07, 2024
AK

Whether speaking/reasoned	:	Yes
Whether reportable	:	No