IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

105 **CRM-M-45697-2024**
Date of Decision : September 13, 2024

PALVINDER SINGH **-PETITIONER**

V/S

STATE OF PUNJAB AND ANOTHER **-RESPONDENTS**

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Ms. Shubreet Kaur, Advocate
for the petitioner.

Mr. Pardeep Bajaj, D.A.G., Punjab.

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KULDEEP TIWARI, J. (ORAL)

1. Through the instant petition, as instituted under Section 483(3) read with Section 528 of the B.N.S.S., 2023, the petitioner seeks cancellation of anticipatory bail, as became granted to the respondent No.2, vide order dated 26.07.2024 (Annexure P-1), passed by the learned Additional Sessions Judge, Ludhiana.

2. By placing reliance upon the verdict rendered by the Hon'ble Supreme Court, in case titled as ***"Ajwar V/s Waseem and another", RCR (Criminal) 185,*** wherein, criminal antecedents of the accused are held to be one of the relevant factors to be considered at the time of grant of bail, the learned counsel for the petitioner submits that, despite the respondent No.2 being involved in two more criminal cases, yet the learned Additional Sessions Judge concerned proceeded to grant him the concession of anticipatory bail.

3. This Court posed a specific query to the learned counsel for the

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petitioner, as to whether the criminal antecedents (supra) of the respondent No.2 were brought to knowledge of the learned Additional Sessions Judge concerned, to which she responded in affirmative.

4. This Court has also perused the order dated 26.07.2024 (Annexure P-1) and the consequent inference, as becomes drawn is that, the learned Additional Sessions Judge concerned had, after taking into consideration the factum of involvement of respondent No.2 in other criminal cases, recorded its satisfaction that there is no impediment in grant of bail to him. Consequently, the observations recorded by the learned Additional Sessions Judge concerned, in the order dated 26.07.2024, are in consonance with the ratio of law laid down by the Hon'ble Supreme Court in its verdict (supra), inasmuch as, the criminal antecedents of the respondent No.2 were duly considered before granting him anticipatory bail.

5. Moreover, the mere involvement of an accused in other criminal cases would not *ipso facto* disentitle him for grant of anticipatory bail, inasmuch as, various other factors are also required to be taken into consideration while deciding an anticipatory bail application, as has been held by the Hon'ble Supreme Court in its verdict (supra).

6. In summa, the present petition is **dismissed**, being devoid of merits.

(KULDEEP TIWARI)
JUDGE

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

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