

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

221

CRM-M-50932-2023

Date of decision: 06.02.2024

Bharat Kalyan

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Tushar Sharma, Advocate
for the petitioner.

Mr. Arun Luthra, DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner in the instant (second) petition is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.52 dated 29.03.2023 under Sections 25, 54 and 59 of the Arms Act, 1959, registered at Police Station City Batala, Batala, District Gurdaspur.

2. Short reply by way of affidavit of Lalit Kumar, PPS, Deputy Superintendent of Police, Sub Division City Batala, Police District Batala, has been filed in the Court today which is taken on record subject to all just exceptions. A copy of the same has been supplied to the counsel opposite.

3. Learned counsel for the petitioner has, however, disputed his involvement in two of the FIRs which have been detailed in para 6 of the reply i.e. at Sr. No.1 and 3. He has asserted that the petitioner was not an accused in both of these FIRs and these FIRs had been registered at the instance of his father and brother respectively. Learned

counsel has at the same time has not disputed that FIR No.219/2021 at Sr. No.4 is indeed registered against him; qua FIR No.106 dated 07.09.2022 under Section 21-A of the NDPS Act, at Sr. No.8, learned counsel has, however, feigned ignorance.

4. I have heard learned counsel for the parties and perused the relevant material on record.

5. Be that as it may, the petitioner prima facie comes across as being a habitual offender and a man of criminal antecedents for which he does not deserve to be extended the extraordinary concession of anticipatory bail.

6. Accordingly, the instant petition is hereby dismissed.

7. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

06.02.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No