

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

207

2024:PHHC:010409

CRM-M-53251-2023

Date of decision: January 25th, 2024

Raman Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Pardeep Kumar Kapila, Advocate
for the petitioner.

Mr. Mohit Kapoor, Additional Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in case FIR No.186 dated 12.09.2023 registered under Section 379 (Sections 411 and 413 of the IPC added later on) registered at Police Station Division No.6, District Jalandhar.

2. Learned counsel for the petitioner submits that in compliance of the following order passed on 19.10.2023, the petitioner had joined investigation and cooperated with the investigating agency:-

“Learned counsel for the petitioner submitted that the petitioner was only a scrap dealer and he has not purchased any stolen car and he is not involved in any other case.

Notice of motion.

Mr. Ramdeep Partap Singh, Senior DAG, Punjab, accepts notice on behalf of the respondent-State.

Adjourned to 25.01.2024.

In the meantime, the petitioner is directed to join the investigation and to co-operate fully with the investigation process and on his doing so, the petitioner be released on interim bail, subject to his furnishing personal bonds and

surety to the satisfaction of the Arresting/Investigating Officer. However, the petitioner shall continue to 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.”

3. Learned State counsel, on instructions, has not disputed the factum of the petitioner having joined investigation. However, he submits that it was factually incorrect that the petitioner was not involved in any other case as had been submitted on the previous date by the learned counsel for the petitioner; the petitioner is a man of criminal antecedents as he is involved in five other criminal cases of similar nature. In support, learned State counsel has given a list of following cases, which stand registered against the petitioner:-

1.	FIR No.74 dated 07.06.2023 under Sections 379, 34 IPC, P.S. Division No.1, Jalandhar.
2.	FIR No.96 dated 14.07.2023 under Section 379, P.S. Division No.2, Jalandhar.
3.	FIR No.111 dated 19.08.2023 under Sections 379, 411, 201, 34 IPC, P.S. Division No.2, Jalandhar.
4.	FIR No.117 dated 03.09.2023 under Section 379 IPC, P.S. Division No.2, Jalandhar.
5.	FIR No.116 dated 03.09.2023 under Section 379 IPC, P.S. Division No.2, Jalandhar.

4. Learned counsel for the petitioner has, however, controverted the submissions made by the counsel for the State by submitting that he has since been enlarged on bail in all the other criminal cases, which stand registered against him.

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

6. The involvement of the petitioner in other criminal cases was withheld at the time of issuance of notice of motion from this

Court. The petitioner comes across as a habitual offender, which is evident from the pendency of five other criminal cases, which stand registered against him, and which are of similar nature.

7. In the circumstances, this Court does not deem it fit to make the order dated 19.10.2023 absolute.

8. The instant petition stands dismissed.

9. 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.

January 25th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No