

CRM-M-53909-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

105

CRM-M-53909-2024
Date of Decision : October 29, 2024

PUNEET SINGH AND ANR

-PETITIONERS

V/S

STATE OF PUNJAB

-RESPONDENT

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Vishal Thakur, Advocate
for the petitioners.

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

KULDEEP TIWARI, J. (ORAL)

1. Through the instant petition, as instituted under Section 482 of the B.N.S.S., 2023, the petitioners seek the concession of anticipatory bail, in case FIR No.59 dated 27.09.2024, registered under Sections 221, 121, 132, 299 of the B.N.S., 2023, and, Section 3 of Prevention of Damage to Public Property Act, 1984, at P.S. Division No.01, Pathankot, District Pathankot.
2. What emanates from a perusal of the record available before this Court is that, the petitioners applied for Free Legal Aid from the office of D.L.S.A., Pathankot, whereupon, they were provided Free Legal Aid in approx. more than 30 cases pending in various courts. One Sanjay Kumar, Senior Assistant and other staff members of D.L.S.A, Pathankot made a complaint against the petitioners, which was marked by the Sessions Judge concerned to the Principal Judge, Family Court-cum-Inquiry Officer, Pathankot, for evaluating the veracity of the allegations voiced therein. After conducting inquiry, the inquiry officer reached a conclusion that, on

**CRM-M-53909-2024****2**

01.08.2024, the petitioners visited the office of D.L.S.A. Pathankot, where they not only manhandled and used criminal force against one Sanjay Kumar, Senior Assistant and one Sukhwinder Pal Singh, Stenographer, but, they also prohibited these officials from performing their official duty. Moreover, the petitioner- Punit Singh was, besides his being found to have damaged the court/public property installed in the office of D.L.S.A., also found to have disrobed the turban and touched the beard of Sukhwinder Pal Singh, Stenographer, thereby insulting his religious sentiments. Not only this, the petitioners were also found to have extended threats to the employees of the D.L.S.A., Pathankot, besides found to have used derogatory remarks against the Secretary, D.L.S.A., Pathankot.

3. The learned counsel for the petitioners, in his beseeching the relief of anticipatory bail for the petitioners, submits that, in fact, the petitioners are themselves the victims at the hands of the staff posted at D.L.S.A concerned and they have also made a complaint against the high-handedness of the staff posted at D.L.S.A.

4. This Court has heard the submissions made by the learned counsel for the petitioners and also perused the record. However, for the reasons assigned hereinafter, this Court does not deem it a fit and deserving case to extend the extraordinary relief of anticipatory bail to the petitioners.

5. Record reveals that, the complaint made by the petitioners was also a part of the inquiry, which was conducted by the Principal Judge, Family Court-cum-Inquiry Officer, Pathankot. However, the upshot of inquiry was that, the allegations voiced by the petitioners in their complaint were not found to be true.

6. *Prima facie*, despite the petitioners, who are chronic litigants on account of theirs being involved in more than 30 civil litigations, being purveyed free legal aid by the authority concerned, yet the petitioners have not only caused obstruction in discharge of public functions by the staff posted at the D.L.S.A, Pathankot, but, they also used criminal force against the staff members and hurt their religious sentiments. Moreover, the petitioners even went on to damage the court/public property installed in the court premises. Above all, even now the petitioners are not at all apologetic for their conduct.

7. Consequently, the asked for relief of anticipatory bail is declined to the petitioners and the petition is accordingly **dismissed**.

8. However, anything observed hereinabove shall neither be construed to have any bearing on the outcome of the trial, nor the trial Court concerned shall be influenced by any of the observations recorded herein.

October 29, 2024
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(KULDEEP TIWARI)
JUDGE

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