

**In the court of Sh. Kewal Krishan, Additional Sessions Judge,
Patiala.**

CIS No.	BA/2072/2021
CNR No.	PBPT 010060552021

Balkar Singh son of Gurmeet Singh

Versus

State

FIR No.not known dated not known
Under Section not known,
Police Station: Ghanaur, Patiala,

Present: Sh. Sukhdev Singh, Advocate Ld. Counsel for the applicant-
accused.
Sh. Vikas Garg Learned APP for the State with SI Bahadur Ram

File has been put up before me being Duty Judge during summer
vacations.

Apprehending his arrest, the applicant has moved this
application under Section 438 Cr.P.C for anticipatory bail. Heard. Learned
counsel for the applicant has argued that the applicant has not committed any
offence and is innocent. The police is trying to implicate him in a false case.
The police raided the house of the applicant, but he was not present there.
The applicant has belief that the police will arrest him in a non-bailable
offence. Thus, the applicant may kindly be granted anticipatory bail. On the
other hand, learned Addl. Public Prosecutor has argued that the application
is not maintainable as till date no FIR has been registered against the
applicant. This application deserves dismissal.

This Court has heard the contentions of learned counsel for

the applicant and learned Addl. Public Prosecutor for the State. SI Bahadur Ram of Police Station Ghaur has appeared and made statement that Karamjit Kaur mother of the applicant has lodged a complaint against him with SHO PS Ghanaur and inquiry of which is being conducted by him. The applicant is not cooperating in the inquiry proceedings. Till today neither any FIR has been registered against the applicant nor is he required in any case and that after concluding the inquiry he shall furnish the report to SHO. He has also placed on record copy of said complaint.

Admittedly, a complaint has been submitted by the complainant Karamjit Kaur before the SHO, Police Station Ghanaur, Patiala, inquiry of which is being conducted. Till date, there is no FIR registered at PS Ghanaur. This application does not fulfill the necessary ingredients of Section 438 Cr.P.C. Therefore, this application stands dismissed. However, if a case is registered against the applicant for a non-bailable offence, before making his arrest, three days prior notice be given to him. File be consigned to the Record Room, Patiala.

Pronounced in open Court,
On 29.06.2021

(Kewal Krishan)
Addl. Sessions Judge, Patiala

(UID No.PB0182

Vijay Kumar, Stenographer I