

Yogendra Singh Vs. State of Punjab & ors.
B.A. Filing ID No. 1442-2023
CNR No. PBSA01-003871-2023

FIR no. Not Known, dated: Not known
under Sections: Not known
P.S. Zirakpur, SAS Nagar, (Mohali).

Bail application under Section 438 Cr.P.C.

Present: Sh. Jashan Mehta, Adv, counsel for accused/applicant
Sh. R.S. Jauhal, Addl. PP for the State

1. Applicant/Accused namely Yogendra Singh son of Mahendra Singh, resident of A-59/31, Sulabh Awas, Sector-1, Gomit Nagar, Lucknow, Uttar Pardesh-226010, has sought pre-arrest bail under Section 438 Cr.P.C.

2. Notice of the application was given to the State. Learned Addl. PP for the state put in appearance.

3. Today, ASI Chamkaur Singh, No. 739/SAS Nagar, now posted at Police Station Zirakpur, has come present and suffered a separate statement to the effect that application Mark-A moved by Sachin Juneja against Yogendra Singh son of Mahendra Singh is pending for inquiry and till today no FIR has been registered on the said application.

4. Learned counsel for the accused/applicant argued that the police can register the case against the accused/applicant and he has apprehension that he can be arrested.

5. On the other hand, the learned Additional Public Prosecutor for the state argued that only complaint is pending against the

accused/applicant. Till date, no FIR has been registered against the accused/applicant, as such, the present bail application be dismissed being infructuous.

Learned counsel for the complainant argued that the accused/applicant is not entitled for bail. He prayed that the present bail application be dismissed.

6. From the submissions of the learned counsel for the applicant, learned Addl. PP for the state and from the perusal of the record, it is clear that no FIR has been registered against the accused/applicant. Only one complaint moved by complainant Sachin Juneja is pending, as such, the present bail application is dismissed being infructuous. However, two days notice should be given prior to the arrest of the accused but this Court is also considered view that if the accused is involved in any cognizable and non bailable offence, the police is at liberty to proceed further as per law. Bail application file be consigned to the Record Room.

Pronounced.
16.05.2023

Bhupinder Singh
Stenographer-II

(Avtar Singh)
Addl. Sessions Judge.
S.A.S. Nagar, (Mohali).
(UID No. PB00086)