

State Vs. Amit Kumar

FIR No.Not known
u/s not known
P.S.Women Cell(Div.No.50, Ludhiana.

Present:-Sh.Nikhil Kumar Adv.for applicant.
Sh.Rajbir Singh Chahal Addl.PP for the state.

Applicant has sought anticipatory bail in unknown FIR on the ground that complainant want to falsely implicate him by leveling false allegations and he is innocent person and committed no offence. Police record was called and perused. Ld.Addl.PP for the state argued that one complaint UID No.1794830 dated 8.6.2020 has been received against the applicant which is pending before P.S.Women Cell, but till today no FIR is registered.

After hearing the Ld.counsel for the applicant, Ld.Addl.PP for the state and gone through the record, it has been found that one complaint dated 8.6.2020 has been filed by complainant Kamni Kanojia against the applicant which is pending for inquiry by the police but till today no FIR has been registered and more than 7 days have been elapsed after the complaint of complainant and till today police remained failed to make out its mind whether any cognizable offence is made out or not against the applicant on the complaint of complainant and this is clear violation of guidelines and directions of the Supreme Court in case titled **Lalita Kumari Vs. State of U.P. 2013 (4) RCR (Crl.) 979.**

Hence SHO concerned police station/Arresting officer is directed to issue prior 3 days written notice before arresting the applicant after registration of FIR if any on the complaint of complainant dated 8.6.2020 against the applicant and accordingly bail application of

applicant has become infructuous and the same stands dismissed. File be
consigned to the record room.

Komal Preet Kaur
Stenographer-I

Amar Paul
UID-PB0450
Addl.Sessions Judge,
Ludhiana.

Pronounced
Dated 17.11.2020