

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

**Crl. Misc. No.M-18900 of 2015
Date of decision : 29.06.2015**

Sheetal Singh

.....Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE ANITA CHAUDHRY

Present: Mr. Arvind Thakur, Advocate
for the petitioner.

ANITA CHAUDHRY, J.(ORAL)

This is the second petition filed by the petitioner under Section 438 Cr.P.C. who is seeking anticipatory bail in FIR No.2 dated 22.01.2015, registered under Section 13(1)(E) read with Section 13(2) of Prevention of Corruption Act, 1988 at Police Station, Vigilance Bureau, Ferozepur, District Ferozepur, Punjab.

Heard.

Learned counsel for the petitioner contends that the second bail application has been filed as there are changes in the fact situation. He urges that earlier an FIR was registered in which the petitioner was allowed bail and after one month of custody, another case was registered on same facts and the petitioner had challenged the legality of the subsequent FIR in which notice of motion as well notice regarding stay was ordered to be issued for 29.09.2015 and therefore, in these circumstances, it is a fit case where the petitioner deserves the concession of anticipatory bail.

Record perused.

The petitioner had filed a petition seeking anticipatory bail which was dismissed on merits on 30.03.2015 (Annexure P14). The petitioner has approached the Court again with the second petition seeking anticipatory bail on the premise that he had filed a petition for quashing the second FIR in which notice had been issued and therefore, he was entitled to anticipatory bail.

The petitioner is a clerk in the District Transport Office. The allegations against him were that during the check period i.e. April, 2007 to June, 2012 he had spent Rs.8,80,000/- which was 402% more than his income. The first FIR was registered against him as he had collected tax which he failed to deposit. During investigation, the investigator found six original sale deeds in the house. The explanation furnished by the petitioner was that those purchases were made by his father-in-law who was residing abroad. The State had informed that no amount had been transmitted from abroad. The witnesses had disclosed that the property had been purchased by the petitioner himself. The petition was dismissed on merits. Subsequently, a petition has been filed seeking quashing of the second FIR. This fact alone is not sufficient for granting any relief. No favourable order has been passed in favour of the petitioner which entitles him to any relief.

The petition is not maintainable and is dismissed.

29.06.2015
sunil

(ANITA CHAUDHRY)
JUDGE