

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-41219 of 2015

Date of decision : 18.12.2015

Narinder Gupta

..... Petitioner

versus

State of Punjab

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Roopam Jain, Advocate
for the petitioner

ANITA CHAUDHRY, J. (ORAL)

This is second petition filed by the petitioner seeking anticipatory bail in FIR No. 136 dated 20.09.2008 registered at Police Station Sadar, Kapurthala under Section 420 IPC.

Heard.

The present FIR was registered in September 2008 under Section 420 IPC at the instance of Ankur Tiwari. The allegations were that the accused was working as a reporter with one of the Channels and he had offered to get an appointment for the complainant/his relative. The petitioner used to pose that he was very close to the Additional Deputy Commissioner (Development) Kapurthala and he could get them appointed as a teacher and for this purpose the A.D.C. would charge Rs. 1,50,000/-. The petitioner demanded an advance of Rs. 50,000/-. The amount was paid but thereafter the petitioner started avoiding him. The complainant demanded his money back. The petitioner gave Rs. 10,000/- cash and gave two cheques which were dishonoured.

The petitioner claims that a compromise was effected and

he had paid Rs. 30,000/- on 13.9.2010. The petitioner approached the High Court for anticipatory bail which was allowed to him. The petitioner then filed a quashing petition where the complainant did not appear and the petition was withdrawn by him on 08.10.2012. The petitioner failed to appear in the Court and in January 2015 he had been declared proclaimed offender. His application for anticipatory bail had been dismissed by the Sessions Judge, Kapurthala.

Learned counsel for the petitioner had referred to Annexure P-3 appended with the petition to urge that son of the petitioner was suffering from serious ailments and he was busy with his treatment in Delhi and could not appear in the Courts and also because the matter had been settled and amount was paid.

Perusal of Annexure P-4 shows that the proclamation proceedings had been started and the accused failed to appear and he was declared proclaimed offender in December 2014. The petitioner had misused the concession of anticipatory bail. He can not again approach the Court for the same relief. The fact that the complainant did not come forward to support the petition. The quashing petition indicates that there was no compromise.

Petitioner is directed to surrender before the trial Court on 22.12.2015.

The petition is dismissed.

December 18, 2015

**(ANITA CHAUDHRY)
JUDGE**