

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

CRM-M No. 1536 of 2016 (O&M)

Date of decision: 15.07.2016

Sumit Wadhwa

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. M.S. Sachdev, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab
assisted by ASI Jagdish Lal.

Mr. Ravi Malhotra, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in case FIR No.175, dated 01.10.2015, registered under Sections 406 and 420 IPC, at Police Station Division No.5, Jalandhar, District Jalandhar.

On 15.01.2016, the following order was passed:-

“Counsel would argue that the allegations are completely false. To substantiate such assertion, counsel would advert to a complaint lodged on 22.04.2014 i.e. one year back at the hands of same very complainant i.e. Vikas Khinder against Gauravdeep Singh, Pavitter Singh and Sherry in which identical allegations were made and in such

complaint, he had described the present petitioner as a close friend. It has further been submitted that such complaint having been duly investigated was found to be false and findings were returned that there was money dealings between Vikas Khinder and the persons aforementioned in the complaint dated 22.04.2014. It has been argued that even the present FIR is a bundle of lies as would be apparent from the contents of the earlier complaint dated 22.04.2014.”

The learned counsel for the petitioner states that in pursuance of the order dated 15.01.2016, the petitioner has joined the investigation.

On the other hand, the learned State counsel submits that though the petitioner has joined investigation, however, he is not cooperating and recovery is yet to be effected. He further states that the petitioner is a habitual offender. Earlier he approached this Court in FIR No.09 dated 22.01.2015, under Sections 406, 420 IPC and Section 24 of Immigration Act, registered at Police Station Sultanpur Lodhi. The bail application filed by him was dismissed, vide order dated 26.04.2016, passed in CRM-M-8411 of 2016.

Heard.

The petitioner has been evading his arrest and misuse the process of law. Warrant of arrest has already been issued against the petitioner. Further, the petitioner has not mentioned about FIR No.

09 in the present petition, therefore, he has concealed the material facts from the Court. Keeping in view the antecedents of the petitioner, this Court is not inclined to grant pre-arrest bail to the petitioner.

Dismissed.

15.07.2016

sumit.k

(JITENDRA CHAUHAN)
JUDGE