

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

CRM-M-34511 of 2016 (O&M)

Date of decision: 08.11.2016

Gagan Malik

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Rishu Mahajan, Advocate for the petitioner.

Mr. Mehardeep Singh, Addl. A.G., Punjab
assisted by HC Sushil Kumar.

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 FIR No.176, dated 24.12.2014, registered under Sections 406 and 420 of IPC, at Police Station Division No.7, District Jalandhar.

It is contended that in pursuance of order dated 27.09.2016, the petitioner has joined the investigation.

The learned State counsel, on instructions states that though the petitioner has joined investigation, however, he has concealed a material fact from this Court. In fact, the bail application of the petitioner was dismissed on 02.05.2015 by the Court of Chief Judicial Magistrate, Jalandhar. Subsequently, he was declared

proclaimed offender on 08.01.2016.

The learned counsel for the petitioner fairly states that this fact was not even put to his notice as well.

Heard.

The present petition was filed on 24.09.2016 which is duly supported by an affidavit of the petitioner. Keeping in view the above, this Court feels that the petitioner has not approached the Court with clean hands. Accordingly, the present petition is dismissed with costs of Rs.15,000/- to be paid to the State of Punjab within one month from today.

Dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

08.11.2016

sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No