

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-1265 of 2017 (O&M)

Date of Decision: 19.01.2017

Tarsem Singh @ Teena

--Petitioner

Versus

State of Punjab & others

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. S.K. Choudhary, Advocate for the petitioner.

TEJINDER SINGH DHINDSA.J

This is the second petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case F.I.R. No.150 dated 07.10.2015 under sections 420, 406 I.P.C, registered at Police Station, Bagha Purana, District Moga.

In a nutshell, allegations against the petitioner are of having duped one Rakesh Kumar as also Tejinder Singh of a sum of Rs. 8 lacs and Rs. 6.5 lacs respectively on the pretext of sending them abroad.

In the first petition filed by the petitioner in this Court under Section 438 Cr.P.C i.e. CRM No. M-43975 of 2015, such concession was declined and the following order was passed:-

“CRM No.979 of 2016

Application is allowed as prayed for.

Annexure P-5 is taken on record.

Main Case

The present petition has been filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case F.I.R. No.150 dated 7.10.2015 under sections 420, 406 I.P.C, registered at Police Station, Bagha Purana, District Moga.

At the very outset, counsel prays for withdrawal of the petition.

However, an additional submission has been made that the petitioner is ready and willing to surrender. Counsel prays for indulgence that in case the petitioner, thereafter, files an application seeking benefit of regular bail, directions be issued for such application be decided on the same very day.

*In view of the submission made by the counsel,
present petition*

is dismissed as withdrawn.

It is, however, observed that in case the petitioner duly surrenders before the investigating agency/Illaq Magistrate within a period of four days from today and thereafter files an application seeking benefit of regular bail, such application would be dealt with strictly on merits and the court would make every endeavor to expedite disposal of the same.

Disposed of.”

Counsel appearing for the petitioner would concede that even though, an order had been passed on 13.01.2016 in CRM No. M-43975 of 2015, whereby an undertaking had been furnished that the petitioner would be ready and willing to surrender, yet, till date the petitioner has evaded the process of law and has not joined investigation.

In the light of the serious and categoric allegations against the petitioner and coupled with his conduct, petitioner is held not entitled to the concession of pre-arrest bail.

Petition, accordingly, is dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

19.01.2017
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Whether speaking/reasoned: Yes
Whether Reportable: Yes