

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

CRL. MISC. No.M-23416 OF 2017 (O&M)
DATE OF DECISION : 20th SEPTEMBER, 2017

Parminder Singh

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

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Present : Mr. G. S. Kaura, Advocate for the petitioner.

Mrs. Tanisha Peshawaria, DAG Haryana.

Mr. Raghav Sharma, Advocate for the complainant.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed this petition under Section 438 Cr.P.C. seeking anticipatory bail in FIR No.101 dated 24.05.2017 registered under Sections 406, 420 & 120-B IPC at Police Station Babain, District Kurukshetra.

Heard learned counsel for the rival parties.

The petitioner had gone to the trial Court for the relief of anticipatory bail, however, the same has been declined. Perusal of the impugned order of the trial Court nowhere shows the story that has been projected in the present petition for anticipatory bail, namely the existence of agreement between the parties. Perusal of the entire record of the trial Court and petition before the trial Court as well as the impugned order nowhere shows that the story was ever projected before

the trial Court for claiming the relief of anticipatory bail. Whereas, in the present petition there is copy of evidence placed on record by the petitioner in support of the claim that in fact the transaction was regarding agreement of sale between complainant and petitioner. The said agreement or the plea about the agreement is clearly an after thought.

In that view of the matter, the petitioner is therefore, not entitled to the relief of anticipatory bail as he had not come to this Court with clean hands.

The petition stands dismissed. However, the liberty is reserved in favour of the petitioner to apply for regular bail before the trial Court.

Interim order dated 06.07.2017 passed by this Court stands vacated.

20th SEPTEMBER, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned: *Yes* *No*

Whether Reportable: *Yes* *No*