

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-5620 of 2017

Date of Decision: 20.04.2017

Yadwinder Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. D.S.Malwai, Advocate
for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

Mr. H.S. Bedi, Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No. 3 dated 10.01.2017 registered for offences punishable under Sections 408, 420, 467, 468, 471 and 465 of Indian Penal Code (for short 'IPC'), at Police Station Sadar Sangrur, District Sangrur.

Heard.

Learned counsel for the complainant and learned State counsel submit that the petitioner has obtained interim order dated 20.02.2017 by making false averments that he was appointed as helper to carry files from one table to other. He had in fact applied for the post of accountant and was appointed as such. The entire entries in day book were entered in handwriting of the petitioner. In support of their contention, they have placed on file copy of personal details of petitioner showing his post as accountant, copy of salary slip, where he had received the salary as

accountant and copy of day book, where entries were made in his handwriting. The writing executed by father of petitioner, wherein designation of the petitioner is mentioned as accountant and ₹1 lac was deposited, has also been produced. It is further submitted that payment of ₹1 lac was paid before the complaint was made to the police on 15.06.2016, as such, this averment was wrongly made that this amount was deposited under the police threat.

Learned counsel for the petitioner, when confronted with all these documents and facts, submits that he had made submissions as per instructions received by him from the petitioner himself.

It is apparent that interim order dated 20.02.2017 was obtained by the petitioner by making false and misleading averments before this Court, as such, the petitioner is not entitled to discretionary relief under Section 438 Cr.P.C.

This petition has no merit and the same is dismissed.

April 20, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No