

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.103

CRM-M-26166-2018 (O&M)

Date of decision : 16.07.2018

Paramjeet Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Rajesh Kapila, Advocate, for the petitioner.

SUDHIR MITTAL, J. (Oral)

CRM-23486-2018

Application is allowed as prayed for. Document annexure P-4 is taken on record subject to all just exceptions.

CRM-M-26166-2018

The petitioner seeks anticipatory bail in case FIR No.16 dated 15.02.2018, registered at Police Station Kulgarhi, District Ferozepur, under Section 420 IPC.

As per the allegations in the FIR, the petitioner took a sum of Rs.5 lakhs from the complainant for getting him a job in the Verka Milk Plant.

Learned counsel for the petitioner contends that the petitioner is a Government employee and as per the allegations in the FIR, the incident took place in May, 2016. A perusal of the attendance register of the said month shows that the petitioner was on duty and therefore, the allegations in the FIR, are false. Moreover, there is a delay of two years in lodging of the FIR.

The argument of learned counsel for the petitioner cannot be accepted for the reason that as per the allegations in the FIR, the

complainant withdrew a sum of Rs.5 lakhs on 17.05.2016, but he does not say that the sum was paid on the same day. In fact, the money was paid a few days later and whether the money was paid on a working day or on a holiday, is not clear. Moreover, the money could have been paid even after working hours as no time is mentioned in the FIR. The fact that there is a delay of two years in lodging of the FIR does not persuade me to grant anticipatory bail because it is common knowledge that a person, who has been allured with a promise of the job wait for some time before lodging a police complaint.

For the reasons mentioned above, there is no merit in the petition and the same is accordingly dismissed.

(SUDHIR MITTAL)
JUDGE

16.07.2018

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No