

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

**CRM No.M-7517 of 2019 (O&M)
Date of Decision: February 22, 2019**

Nitin Chhabra

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Rakesh Gupta, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this fourth petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.51 dated 15.07.2015 under Section 420 IPC, registered at Police Station Division No.6, Jalandhar.

I have heard learned counsel for the petitioner and have gone through the record.

From the record, I find that earlier the petitioner filed petition for grant of anticipatory bail, which was got dismissed as withdrawn after arguing for sometime, vide order dated 24.10.2016. He again filed second petition for grant of anticipatory bail, which was dismissed on merits by passing detailed order on 03.04.2017. Then the petitioner filed third petition for grant of anticipatory bail, which was again dismissed by this

Court vide order dated 01.09.2017 after discussing the fact that no changed

circumstance has been shown except that petitioner is ready and willing to pay the disputed amount to the complainant. Now again, the petitioner, instead of surrendering before the police or the Court, has filed this fourth petition for grant of anticipatory bail.

As detailed orders have already been passed on merits holding that petitioner is not entitled to benefit of anticipatory bail, therefore, filing of fourth petition is nothing but abuse of process of law. There are serious allegations against the present petitioner that he used to withdraw a sum of ₹10,000/- from the ATM and then used to pull out the power plug of the machine and claim the failed transaction. When repeated requests were received from the present petitioner, then the Bank searched the CCTV footage and found that fraud has been committed by the present petitioner.

Keeping in view the above facts, no ground is made out for granting anticipatory bail to the petitioner. As the petitioner, instead of surrendering, is filing petitions time and again for grant of anticipatory bail, therefore, the present petition is dismissed with costs of ₹10,000/- to be deposited within one month before learned CJM concerned. If the costs is not deposited, then learned CJM is directed to get it recovered as arrears of land revenue.

February 22, 2019
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No