

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

**CRM-M-36617-2019
Date of decision-14.10.2019**

Gurnam Singh

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. R.S.Sekhon, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner-Gurnam Singh has prayed for grant of anticipatory bail under Section 438 Cr.P.C in case FIR No.66 dated 21.03.2016 registered under Sections 420, 406 and 120-B of Indian Penal Code, 1860 at Police Station City Ferozepur.

As per the complainant-Pargat Singh, he was working in Golden Star Housing and Infrastructure India Limited, Ferozepur which was being run by Kashmir Singh and Gurnam Singh. At their inducement, the complainant got deposited a sum of Rs.27,29,464/- belonging to his relatives and the said amount was not returned by the accused persons. On these broad allegations, the above FIR was registered.

Learned counsel for the petitioner contends that the dispute is between Kashmir Singh and complainant-Pargat Singh and the complaint under Section 138 of Negotiable Instruments Act, 1881 is already pending. He submits that no amount was received by the petitioner.

A perusal of the petition reveals that FIR was registered on 21.03.2016 and the petitioner had applied for grant of pre arrest bail before the Court of Sessions on 12.09.2018 and the same was dismissed on 31.10.2018 (Annexure P-3).

Learned State counsel on instructions from ASI Harnek Singh has apprised the Court that previously an application was filed by the petitioner for grant of pre-arrest bail before the Court of Sessions and the same was declined on 14.09.2016. He submits that thereafter, the petitioner was declared as a proclaimed offender on 23.10.2018. During the course of hearing, this fact is not disputed by learned counsel who is unable to point out any valid reason for not disclosing this material fact in the pleadings of the petition.

Considering the above and conduct of the petitioner, this Court does not find any reason to extend the concession of pre-arrest bail to the petitioner. The petition is dismissed with costs of Rs.10,000/- to be deposited with District Legal Services Authority, Ferozepur.

(MANOJ BAJAJ)
JUDGE

14.10.2019

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No