

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

CRM-M-18897-2020 (O&M)

Date of decision: 17.07.2020

Sandeep Jangra

...Petitioner

Versus

UT Chandigarh

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. Vineet Chaudhary, Advocate for the petitioner.

Mr. Manish Jain, Addl. PP for UT Chandigarh.

H.S. MADAAN, J. (Oral)

Case taken up through video conferencing.

This is a second petition for grant of regular bail filed by petitioner in FIR No.253 dated 16.09.2018, for offences under Section 364-A IPC with Sections 324, 326, 307 and 34 IPC (added later on), registered with Police Station IT Park, Chandigarh.

The first petition for regular bail bearing No.CRM-M-17273-2019 was dismissed by this Court, vide order dated 06.02.2020.

Briefly stated facts of the case as per prosecution story are that complainant Kashmir Singh had submitted a written complaint to the police, in which he had contended that he is engaged in the business of plying taxis since the year 2000 and is having 03 taxis; out of those 03, one was being plied by him; on 14.09.2018 at about 7.30 PM, a boy aged about 18 years came to him at IT Park and asked him for hiring a taxi for

going to Bagar, Rajasthan to pay obeisance. The fare was accordingly settled; the boy stated that taxi be sent at Khera Mandir, NIC Chandigarh. He had paid an advance amount of Rs.500/-. Accordingly on 15.09.2018 at about 4.00 AM, Gurwinder Singh, son and Mandeep Singh, nephew of complainant took taxi to the disclosed place. Then they started for Bagar Rajasthan and after reaching there, stayed for some time. At about 7.30 AM, the complainant received a call from Mobile No.9041818497 regarding kidnapping of his son, asking for ransom of Rs.10 lacs. The caller asked the complainant to come to Bhadra, Rajasthan along with ransom money, otherwise, his son would be killed. Formal FIR was registered. The investigation of the case started. Petitioner Sandeep Jangra was arrested in this case on 14.10.2018.

The petitioner/accused had moved an application for regular bail before the Court of Sessions at Chandigarh. That petition was dismissed by Addl. Sessions Judge, Chandigarh, vide order dated 02.02.2019. Thereafter, he had approached this Court seeking regular bail, however, that petition was dismissed, vide detailed order dated 06.02.2020 with the following observations:-

“The allegations against the petitioner are very grave and serious of having taken part in the crime of kidnapping young boys, namely Gurwinder Singh and Mandeep Singh for ransom and causing injuries to them. Learned State counsel has drawn my attention to the photographs of the injured. The magnitude of the injuries appear to be quite big and located on vital parts of the body. The mobile phone from which the ransom call was made is stated to be belonging to the present petitioner. The trial in the case

against the petitioner is going on. Guilt of the petitioner shall be determined during the trial. If concession of bail is granted to him, there is reasonable apprehension of his absconding and trying to tamper with the prosecution evidence. Thus, no case for grant of bail to the petitioner is made out. The request made in that regard stands declined as the petition is dismissed.”

The first petition for regular bail having been dismissed by this Court, the petitioner was required to state so clearly in his petition and attach copy of the order passed on his first petition, however, the petitioner has not placed on record copy of said order and rather, tried to mislead the Court by stating in para No.15 that the earlier petition had been dismissed as withdrawn when it was not so and the petition had been decided on merits.

Learned State counsel has placed on record copy of that order and pointed out towards the misrepresentation made by the petitioner in the petition.

Learned counsel for the petitioner could not render any satisfactory explanation for making this wrong assertion. The petitioner who has approached this Court seeking regular bail cannot be allowed to succeed in his designs by making misrepresentations and indulging in concealment of facts. In addition to that, there has not been any change in circumstances after dismissal of the first petition. Therefore, the petition is doomed for failure and is dismissed.

Keeping in view the conduct of the petitioner in making

misrepresentation and concealment of facts, the Registrar (Judicial) is directed to hold an enquiry into the matter and then to submit report to reach some conclusion as to whether contempt proceedings in the case are required to be initiated or not.

17.07.2020
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(H.S. MADAAN)
JUDGE

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