

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

CRM-M-26890-2020 (O&M)

Date of Decision:09.09.2020

Harpreet Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Parunjeet Singh, Advocate for the petitioner.

Mr. A.S. Sandhu, Additional Advocate General, Punjab.

....

TEJINDER SINGH DHINDSA, J. (ORAL).

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

This is the second petition filed in this Court under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.71, dated 21.05.2020, under Sections 307/323/341/148/149/325 IPC, registered at Police Station Mehal Kalan, District Barnala.

Having heard counsel for the petitioner at length, this Court is of the considered view that the prayer of the petitioner does not even warrant consideration on merits.

The first petition filed by the petitioner was dismissed by this Court in the light of order dated 28.07.2020 passed in CRM-M-20602-2020 in the following terms:

“Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Instant petition has been filed under Section 438 Cr.P.C seeking concession of anticipatory bail to the petitioner in case FIR No.71, dated 21.05.2020, under Sections 307/323/341/148/149 IPC (Section 325 IPC added later on), registered at Police Station Mehal Kalan, District Barnala.

Advance copy of the petition already stood served upon the State of Punjab.

Mr. Gaurav Garg Dhuriwala, learned Sr. DAG, Punjab upon instructions from ASI Gursimranjit Singh informs the Court that the petitioner is involved in two other FIRs i.e. FIR No.182, dated 21.11.2012, under Sections 452/324/323/34 IPC, registered at Police Station Raikot and FIR No.17, dated 19.02.2020, under Sections 452/323/34 IPC, registered at Police Station Raikot.

Having been confronted with such factual premise, counsel for the petitioner submits that in the FIR pertaining to the year 2012, petitioner was acquitted and in the 2nd FIR, he is on bail.

Be that as it may, the categoric averment made in para 4 of the petition is to the following effect:

“That the petitioner has absolutely clean antecedents.”

*It may also be taken note of that the expression '**clean antecedents**' has been highlighted in the petition and has been typed out in a bold font.*

Clearly, the petitioner has not approached this Court with clean hands. False averments have been made. Involvement of the petitioner in previous criminal proceedings has deliberately been withheld.

Petitioner, as such, is not entitled to any concession from this Court.

Petition is dismissed.”

Inspite of the previous petition having been dismissed in the last week of July, 2020, petitioner has chosen not to join the investigation process.

Conduct of the petitioner dis-entitles him from any concession at the hands of this Court.

Petition is dismissed.

09.09.2020

harjeet

(TEJINDER SINGH DHINDSA)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |