

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

215

CRM-M-2246-2021(O&M)
Date of Decision : September 15, 2021

AMARDEEP SINGH @ NIPPI

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. Nirbhay Garg, Advocate
for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

Through Video Conferencing

JASGURPREET SINGH PURI. J. (Oral)

The present petition is a third bail application which has been filed under Section 439 of the Code of Criminal Procedure for the grant of concession of regular bail to the petitioner in FIR No.185 dated 03.11.2012 under Sections 419, 420, 465, 467, 468, 471 IPC registered at Police Station Mataur, District SAS Nagar Mohali.

The petitioner had earlier filed bail application vide CRM-M-48223 of 2019 which was dismissed as withdrawn on 07.01.2020. Thereafter, he filed another bail application vide CRM-M-14976 of 2020 and he again withdrew the same on 10.08.2020. The present is the third bail application filed by the petitioner.

The learned counsel for the petitioner has submitted that in

the present case, the petitioner was falsely implicated and he is in custody since 31.08.2019 and he may be considered for the grant of bail on the ground of long custody.

On the other hand, learned State Counsel has submitted that the petitioner does not deserve the concession of regular bail because of two reasons. Firstly the successive bail application is not maintainable when there has been no change in circumstance and secondly the petitioner has earlier misused the grant of bail and therefore, he is not entitled for the grant of regular bail in the present case. He submitted that in the present case, the challan of the case was presented on 28.05.2013, when he was on bail in the present case. However, on 22.07.2014, when the case was pending for evidence of the prosecution witnesses, the petitioner absented himself from the proceedings and his bail was also cancelled by the learned Trial Court and he was ordered to be summoned through non-bailable warrants and since he could not be arrested through non-bailable warrant, he was ordered to be summoned through proclamation under Section 82 of the Code of Criminal Procedure and ultimately he was declared as a proclaimed offender by the learned trial Court on 12.05.2015 and he remained absented thereafter for a long period of time and thereafter, surrendered on 31.08.2019. Learned State counsel has submitted that the petitioner remained absconded for more than four years and after jumping the bail earlier granted to him and therefore, it would itself disentitle the petitioner for the grant of the regular bail. He further submitted that as per the custody certificate, the petitioner is involved in four more cases of cheating and out of these four

cases, two FIRs were registered in the year 2016 while he was on bail in the present case and, therefore, the petitioner does not deserve the concession of bail in the present case.

I have heard learned counsels for the parties.

The petitioner had earlier jumped bail granted by trial Court in the present case and he was declared as a proclaimed offender and he absconded for a period of more than four years and therefore, this Court is of the view that the petitioner does not deserve the concession of regular bail by this Court.

Consequently, there is no merit in the present petition and the same is, hereby, dismissed.

(JASGURPREET SINGH PURI)
JUDGE

September 15, 2021
ajay-1

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