

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

101

**CRM-M-2309-2021
Date of decision : 18.01.2021**

Manjit Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Mandeep Kumar Dhot, Advocate for the petitioner.

ARUN KUMAR TYAGI, J (ORAL)

The case has been taken up for hearing through video conferencing.

The petitioner has filed the present (second) petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in case FIR No.64 dated 08.06.2020 registered under Sections 420, 465, 468, 471 and 120-B of the Indian Penal Code, 1860 in Police Station Division No.4, District Patiala.

Notice of motion.

Pursuant to supply of advance copy of the petition, Mr. P.S. Walia, Asstt. AG, Punjab has appeared and accepted notice on behalf of respondent-State.

I have heard learned Counsel for the petitioner and learned State Counsel and gone through the relevant record.

Learned Counsel for the petitioner has submitted that the insurance company made complaint as to the insurance policy being forged and fabricated document about three months after the decision of the claim petition by the Motor Accident Claims Tribunal. The police registered FIR by conducting one sided inquiry without joining the petitioner and concerned officer/employee of the insurance company. First petition for grant of anticipatory bail filed by the petitioner was dismissed by this Court vide order dated 28.08.2020. Some of the facts were not in the knowledge of the petitioner at the time of the decision of first petition. The second petition has been filed

in view of the change of circumstance as talks of compromise are going on between the petitioner and claimant-Sucha Singh. Therefore, the petitioner may be granted anticipatory bail.

On the other hand, learned State Counsel has submitted that the possibility of settlement between the petitioner and the claimant does not constitute an any change of circumstances. The second petition for grant of anticipatory bail is not maintainable. Therefore, the present petition may be dismissed.

The first petition filed by the petitioner for grant of anticipatory bail was dismissed by this Court vide order dated 28.08.2020. No change in the circumstances has been pointed out. In the facts and circumstance of the case, second petition for grant of anticipatory bail is not maintainable and I am of the considered view that the petitioner does not deserve grant of anticipatory bail.

Accordingly, the present petition being devoid of any merit is dismissed.

The petitioner is directed to surrender before the Investigating Officer/Judicial Magistrate First Class having territorial jurisdiction within 15 days from the date of this order failing which appropriate steps shall be taken for his arrest/securing his presence by issuance of non-bailable warrant of arrest against him and getting him declared proclaimed person and attachment and sale of his properties.

18.01.2021

Kothiyal

(ARUN KUMAR TYAGI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No