

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-2732-2021

Date of Decision: January 21, 2021

Rajender Kumar

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. Narender Singh Kamboj, Advocate
for the petitioner.

Sudhir Mittal, J. (Oral)

This is the third petition for grant of anticipatory bail in case FIR No.193 dated 28.05.2019 registered at Police Station Sadar Fatehabad, District Fatehabad under Sections 420, 406 IPC.

The first petition was CRM-M-18427-2020, which was dismissed vide order dated 23.07.2020 on merits. Thereafter, CRM-M-27073-2020 was filed, which was dismissed vide order dated 10.09.2020 on the ground that the second petition was not maintainable without any changed circumstances.

Learned counsel for the petitioner states that a status report dated 07.01.2021 has been filed on behalf of the State in CRM-M-38324-2020 wherein it has been stated that - "There is also CD containing the conversation of petitioner with complainant Tirlok Chand (respondent No.5) regarding the money".

Thus, it is argued that the CD only contains a conversation regarding money transaction. It does not refer to money having been paid for providing a job. Consequently, under the changed circumstances, the petitioner may be granted anticipatory bail.

I am unable to accept the submission of learned counsel as the line aforementioned relied upon by him does not give rise to any inference that the conversation contained in the CD does not pertain to money having been handed over for providing jobs. Even the remaining status report does not contain any such statement.

Thus, there are no changed circumstances and the third petition is the abuse of the process of the Court. The same is, accordingly, dismissed with costs of Rs. 25000/- to be paid to the Poor Patients Welfare Fund, PGI, Chandigarh within two weeks from the date certified copy of this order, is prepared, failing which, recovery proceedings be initiated.

January 21, 2021

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No