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

**CRM-M-17866-2020(O&M)**

**Date of decision : 10.02.2021**

Sharif

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

**CORAM: HON'BLE MRS. JUSTICE ALKA SARIN**

Present: Mr. Mohd. Salim, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

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**ALKA SARIN, J. (ORAL)**

Heard through video conferencing.

The petitioner has filed the present petition for grant of anticipatory bail in FIR No.81 dated 29.05.2020 under Sections 308, 452, 323, 34 of the Indian Penal Code, 1860 registered at Police Station Sadar Hoshiarpur, District Hoshiarpur.

In the heading and the body of the instant petition it is referred to as first petition for grant of anticipatory bail in FIR No.81 dated 29.05.2020 under Sections 308, 452, 323, 34 of the Indian Penal Code, 1860 registered at Police Station Sadar Hoshiarpur, District Hoshiarpur. A perusal of the file reveals that in para 12 of the petition, it has been stated that no such similar petition has been earlier filed by the petitioner nor the same is pending either in this Court or in the Hon'ble Supreme Court of India or before the Trial Court/Sessions Court.

A note has been put up by the Registry wherein it has been pointed out that this is in fact the second anticipatory bail petition by the petitioner, earlier being CRM-M No.15766 of 2020 titled as “Shareef V/s State of Punjab” which was dismissed as withdrawn vide order dated 25.06.2020 and the present one being the second petition has been titled as “Sharif V/s State of Punjab”.

Learned counsel for the State, on instructions from ASI Kaushal Chander, has stated that the petitioner could not be arrested despite multiple raids and has been evading his arrest.

Learned counsel for the petitioner has stated that he was not informed about the previous anticipatory bail petition filed by the petitioner.

A perusal of the present petition clearly reveals that there has been total concealment of material and important facts by the petitioner in the present case. In the heading of the petition and in the body of the petition there is no disclosure of the earlier petition (CRM-M No.15766 of 2020) having been filed and withdrawn. The earlier petition was titled as “Shareef V/s State of Punjab” and now the instant petition has been filed by changing the spelling of the petitioner’s name to “Sharif V/s State of Punjab”. The FIR is dated 29.05.2020 and since then the petitioner, as per the instructions received by the State counsel, has been evading arrest.

Keeping in view the totality of the circumstances i.e. concealment of filing of the earlier petition and it’s withdrawal and attempting to hide that fact by changing the spelling of the petitioner’s name in the present petition and the fact that the petitioner has been evading arrest since 29.05.2020, the present petition is dismissed.

It is made clear that any observation made herein shall not be treated as an expression of opinion on the merits of the case.

**10.02.2021**  
Yogesh Sharma

**( ALKA SARIN )**  
**JUDGE**

**NOTE: Whether speaking/non-speaking: Speaking**  
**Whether reportable: YES/NO**