

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

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**CRM-M-31379-2021
Decided on : 22.12.2021**

Nirmal Singh

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. J.S. Dadwal, Advocate, for the petitioner(s).

Ms. Bhavna Gupta, DAG, Punjab
assisted by ASI Jarnail Singh (who appears in-person).

Mr. Amit Kumar Saini, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (Oral)

On the last date of hearing, learned counsel for the complainant while opposing the prayer of the petitioner for grant of anticipatory bail had submitted that the petitioner had not approached this Court with clean hands and had concealed his criminal antecedents from this Court. Besides this, learned counsel for the complainant had also submitted that the audio recording on which the learned counsel for the petitioner had placed reliance to hammer forth his submissions that the prosecutrix had been blackmailing the petitioner, was not even remotely connected with the prosecutrix.

In the wake of the submissions made by learned counsel for the complainant, on the last date of hearing, this Court had directed the investigating officer of the case to remain present in the Court, more so, since the learned State counsel on his instructions had submitted that the petitioner was not required for further investigation, much less, custodial

interrogation.

Mr. Jarnail Singh, ASI, the concerned Investigating Officer of the case, is present in-person in Court today, in compliance of the order dated 13th December, 2021. He has apprised the Court that the petitioner is indeed a man of criminal antecedents i.e. FIR No.1, dated 06.01.2021, under Sections 420, 406, 409 of IPC, registered at Police Station Sadar. He has further submitted that the audio recordings on which reliance has been placed by the learned counsel for the petitioner, has been sent to Forensic Science Laboratory and the report is awaited.

The factum of the petitioner being involved in another criminal case was not brought into the notice of this Court on the previous date of hearing, as the learned State counsel had no instructions in the said regard. Strangely, the learned counsel appearing for the petitioner in para No.16 of the petition, had specifically stated that the petitioner was not involved in any other criminal case. This without a doubt is misrepresentation and blatant concealment of material facts.

This Court, in the wake of the criminal antecedents of the petitioner and the serious allegations levelled against him of having established forcible physical relations with the prosecutrix on the pretext of marriage, does not deem it appropriate to extend the concession of anticipatory bail to him.

Dismissed.

(MANJARI NEHRU KAUL)
JUDGE

December 22, 2021

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No