

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-33976-2021

Date of decision: - 20.08.2021

Bhupinder Singh

....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Lupil Gupta, Advocate, for the petitioner.

Mr. Sandeep Kumar, Deputy Advocate General, Punjab.

(Through Video Conferencing)

HARSIMRAN SINGH SETHI, J. (ORAL)

Present petition has been filed under Section 438 Cr.P.C for the grant of anticipatory bail to the petitioner in respect of FIR No.75 dated 02.04.2019, registered under Sections 420 and 120-B IPC, at Police Station City Faridkot, District Faridkot.

Learned counsel for the petitioner submits that the petitioner has wrongly been involved in the present case and he has nothing to do with the allegations alleged against him. Learned counsel for the petitioner further submits that petitioner is ready to join the investigation and cooperate in case the benefit of anticipatory bail is granted to him.

Notice of motion.

Mr. Sandeep Kumar, Deputy Advocate General, Punjab, who has joined the proceedings through video conference, keeping in view the

service of advance copy of petition accepts notice on behalf of respondent-State.

Learned State counsel, on instructions from ASI Sukhwinder Singh, submits that it is incorrect that the petitioner has wrongly been involved in the present case as there are specific allegations alleged in the FIR against him. Learned State counsel points out that the amount was given to the petitioner in the presence of other witnesses. Learned State counsel further submits that the petitioner has even misled this Court as in the petition, it has been mentioned that the petitioner is not involved in any other case, whereas, he is involved in another case being FIR No.22 dated 05.06.2019, under Section 420 IPC, Police Station Tallewal, District Barnala. Learned State counsel further submits that the petitioner is evading the arrest in the present case for the last more than 2 ½ years.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

The conduct of the petitioner is such that even this Court has been misled by him as it has been specifically mentioned in the present petition that he is not involved in any other case and the said averment has been supported by an affidavit. The conduct shows the intention of the petitioner to get the anticipatory bail even by misleading this Court.

Further, once there are specific allegations alleged against the petitioner of receiving the amount from the complainant and the allegations are in detail, the custodial interrogation of the petitioner is necessary to find out the truth and trail of the amount, which he has received from the complainant.

Keeping in view the facts and circumstances of this case and the allegations alleged against the petitioner, no ground is made out to grant the benefit of anticipatory bail.

Dismissed.

August 20, 2021
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No