

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

214

CRM-M-39232-2021

Date of Decision: September 24, 2021

BINDUSAR

... Petitioner

VERSUS

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. Sumit Saddi, Advocate
for the petitioner.

Mr. Ranvir Singh Arya, Addl. AG Haryana.

Through Video Conferencing

JASGURPREET SINGH PURI. J. (Oral)

The learned counsel for the petitioner has submitted that although this is third bail application but in view of the fact that the petitioner was falsely implicated in the present case, he may be considered for the grant of regular bail. He submitted that the petitioner was not present on the date of occurrence i.e. on 18.02.2021 and 19.02.2021 as he was in Chandigarh in connection with admission of his son in Cricket Stadium/Club and stayed in a hotel.

He further submitted that although the petitioner was partner of the abducted person, namely, Sanjay Mittal but there was a financial dispute with him with regard to some accounts pertaining to the hospital and, therefore, the petitioner was falsely implicated.

On the other hand, Mr. Arya, learned Addl. A.G. Haryana has submitted that the present third application is not maintainable as there is no change in circumstances in the present case after the withdrawal of the

earlier two bail applications. He submitted that the petitioner had earlier filed two bail applications and the first bail application i.e. CRM-M-19331 of 2021 was withdrawn on 24.05.2021 and thereafter, he filed another bail application after 1½ month, which was again withdrawn on 08.07.2021 in CRM-M-25104 of 2021 and now again, the third bail application has been filed after a period of two months without there being any change in circumstances and, therefore, the present third bail application is not maintainable. He submitted that the matter is fixed for framing of charges and the allegations against the petitioner are serious in nature. As per the allegations, one Sanjay Mittal was abducted and ransom amount of Rs.10,00,000/- was demanded and the petitioner has been nominated on the basis of disclosure statement of the co-accused wherein the modus operandi adopted by the petitioner has been disclosed by the co-accused vide Annexure P-6. He further submitted that there is every possibility that the petitioner may influence the witnesses or may tamper with evidence or even may flee from justice particularly in view of the fact that as of now no witness has been examined as the charges are yet to be considered to be framed.

I have heard the learned counsels for the parties.

The present petition is third successive bail application filed within a gap of about two months. However, the petitioner has not been able to show any change in circumstances, and the earlier two bail applications were withdrawn by the petitioner. Furthermore, the contention raised by the learned State counsel that there is every possibility that the petitioner may influence the witnesses or may tamper

with evidence or even may flee from justice cannot also be ignored at this stage.

Therefore, considering the totality of the facts and circumstances of the present case, this Court does not deem it fit and proper to grant the concession of regular bail to the petitioner.

Consequently, the present petition is, hereby, dismissed at this stage.

September 24, 2021
rajender

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No