

CRM-M-38843 of 2020

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

CRM-M-38843 of 2020

Date of decision:18.08.2021

Sandeep Kundra

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Sarju Puri, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab
for the respondent-State.

SUVIR SEHGAL J.

Heard through video conferencing.

This is the third petition preferred by the petitioner under Section 439 of the Code of Criminal Procedure seeking grant of regular bail in FIR No.58 dated 12.04.2018 registered for offences under Sections 420, 465, 467, 468, 471, 511, 120-B of Indian Penal Code, 1860 at Police Station City Nawanshahr, District S.B.S. Nagar.

As per the prosecution case, FIR has been registered on the complaint of Branch Manager, United Bank of India, Banga Road, Nawanshahr, on the allegation that Sandeep Kundra, present petitioner and Amandeep Mehmi attempted to defraud the Bank of a sum of Rs.2,92,23,400/- by presenting a cheque drawn on Tripura Gramin Bank,

Bardowali Branch, which on enquiry was found to be fake. The petitioner was arrested on 30.10.2019. Investigation has been completed and challan has been presented on 23.01.2020. Charge stands framed on 05.04.2021 and 05 out of 13 prosecution witnesses have been examined.

Counsel for the parties have been heard.

From a perusal of the status report filed by way of an affidavit of Deputy Superintendent of Police, Sub-Division Nawanshahr, District S.B.S Nagar, in compliance of order dated 01.12.2020, it is apparent that the petitioner is involved in two other FIRs with allegations of impersonation and forgery, whereby, he tried to defraud innocent persons of huge chunk of land and money. Record also shows that there are two criminal complaints pending against the petitioner besides a complaint under Section 138 of the Negotiable Instruments Act, 1881 and an FIR under Section 52A(1) of the Prisons Act, 1894. Instant petition has been filed by the petitioner by concealing the above facts, rather a categoric declaration has been made in para 22 of the petition, which reads as under:-

“22. That as per the instructions received by the undersigned counsel, the petitioner is not involved in any other case of similar nature.”

An accused, who tries to mislead the Court and conceals his involvement in other criminal cases, is not entitled to the concession of bail. Moreover, this is the third petition seeking grant of regular bail without there

being any change in the circumstances.

No ground for concession of bail is made out.

Petition is dismissed.

It is clarified that nothing said hereinabove shall be construed to be an expression on the merits of the case.

(SUVIR SEHGAL)
JUDGE

August 18, 2021
savita

<i>Whether Speaking/Reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes</i>