

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

CRM-M-23805-2021 (O&M)

Date of decision: 05.04.2022

Avtar Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Ms. Satpreet Grewal Kapila, Advocate for the petitioner.

Mr. Harbir Sandhu, AAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner has filed this third petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 176 dated 25.07.2020, registered under Sections 420, 120-B IPC and Section 13 of the Punjab Travel Professionals Act, 2014, at Police Station Mehatpur, District Jalandhar Rural. Earlier two bail petitions filed by the petitioner stands dismissed, vide orders dated 15.02.2021 and 23.04.2021 passed by this Court.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case; that there is a delay of seven months in lodging the FIR; that no money has been deposited in the account of the petitioner at any stage; that the petitioner has never met the complainant and that the petitioner has been in custody since 07.01.2021.

She points out that the second bail petition was dismissed on 23.04.2021 and thereafter, no prosecution witnesses has been examined so far.

The status report dated 31.01.2022 submitted by the learned State counsel is on record.

On the other hand, learned State counsel while opposing the present petition, makes a specific reference to the earlier orders dated 15.02.2021 and 23.04.2021, whereby the both the petitions filed by the petitioner had been dismissed on merits. He further submits that there being no change of circumstance and no new facts pleaded in the present petition, the same is liable to be dismissed.

He also points out that the petitioner along with other co-accused has committed cheating of Rs. 14 lakh with complainant-Manjinder Kumar, on the pretext of sending him Canada. In the compromise, the petitioner himself has admitted that he has received a sum of Rs. 12 lakh and the petitioner is also involved in two other case of similar nature.

I have heard the learned counsel for the parties and have also gone through the documents available on record.

There are specific allegations against the petitioner. As per the status report, in the compromise dated 06.02.2020, the petitioner himself has admitted that he has received a sum of Rs. 12 lakh and two other FIRs of similar nature stands registered against him. . Thus, keeping in view the fact that the petitioner is a habitual offender, he does not deserve concession of the regular bail.

In view of the above, the present petition is dismissed.

05.04.2022

Mangal Singh

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No