

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-39560-2021
Reserved on: 25.02.2022
Pronounced on: 07.03. 2022

Davinder Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr Harsh Chopra, Advocate for the petitioner.

Mr. Harsimar Singh Sitta, AAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
98	13.07.2021	Mullanpur Garibdass, District SAS Nagar.	406, 420, 465, 467, 468, 471, 120-B IPC

1. The petitioner, incarcerated upon his arrest in the FIR captioned above, has come up before this Court under Section 439 of Code of Criminal Procedure, 1973 (CrPC) seeking bail.

2. As per paragraph 23 of the bail application, the petitioner declares no criminal history. However a perusal of the submissions made by the Public Prosecutor while opposing the bail before the Sessions Court reveals the following criminal history:

1. FIR No. 129, dated 17.07.2021, under Sections 329, 411, 471, 465, 468, 472 IPC
2. FIR No. 15, dated 20.02.2006, under Sections 323, 325, 34 IPC
3. FIR No. 32, dated 11.04.2011, under Sections 452, 324, 323, 506, 341, 34 IPC
4. FIR No. 12, dated 16.02.2006, u/S 302, 201, 148, 149, 34 IPC, and Sections 25, 54, 59 of Arms Act
5. FIR No. 73, dated 18.02.2010, under Sections 453, 380 IPC
6. FIR No. 21, dated 25.02.2011, under Sections 448, 511, 149 IPC

3. However, as per custody certificate, the petitioner has one FIR No. 164/2011 under Sections 304, 328, 120-B IPC, police Station Block Majri.

4. A perusal of the petition, the petitioner is silent about such criminal history. To the contrary, in paragraph 23 of the petition, the petitioner claims that he has not involved in any other similar cases.

Given above, the petitioner has concealed the material facts and, as such, the petition is dismissed.

However, it shall be open for the petitioner to file a fresh bail petition disclosing the criminal history. The present petition shall not come in the way of filing of new petition.

(ANOOP CHITKARA)
JUDGE

07.03. 2022
Jyoti-II

Whether speaking/reasoned:	Yes
Whether reportable:	No.