

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(103)

CRM-M-43764-2022 (O&M)
Date of decision : 22.09.2022

Saral Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Sahil Choudhary, Advocate for the petitioner.

Ms. Mahima Yashpal, DAG, Haryana.

...
SUVIR SEHGAL, J. (Oral)

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in FIR No.158 dated 08.07.2022, registered for offences under Sections 148, 149, 323, 354, 380, 427, 452 and 506 of the Indian Penal Code, 1860 (for short "IPC"), at Police Station Farakpur, District Yamuna Nagar, Annexure P-1.

Advance copy of the petition has been served upon the State.

Heard counsel for the parties.

Despite the fact that it has been noticed by the learned Sessions Judge, Yamuna Nagar in the order dated 25.08.2022, Annexure P-3, that number of criminal cases are pending against the petitioner, but the petitioner has approached this Court by suppressing his criminal past . In the petition, the following declaration has been made by the petitioner at paras No. 16 and 16-A:-

“16. That there is 2 other case against petitioner.

16-A. That the no other FIR has been registered against the petitioner.”

Upon instructions from SI, Mohan Lal, State counsel submits that the following cases are pending against the petitioner:-

“1. FIR No.1519 dated 21.12.2019, registered for offences under Sections 148, 149, 323 and 325, IPC, at Police Station, City Jagadhri, District Yamuna Nagar.

2. FIR No.99 dated 13.03.2020, registered for offence under Section 325, IPC, at Police Station Sadar, Yamuna Nagar, District Yamuna Nagar.

3. FIR No.224 dated 03.06.2020, registered for offences under Sections 323, 341 and 506, IPC, at Police Station Sadar Yamuna Nagar, District Yamuna Nagar.

4. FIR No.315 dated 07.11.2019, registered for offence under Section 325, IPC, at Police Station Sadar, Yamuna Nagar, District Yamuna Nagar.

5. FIR No.354 dated 03.10.2020, registered for offences under Sections 148, 149, 323, 332, 353, 308 and 506, IPC, at Police Station Sadar, Yamuna Nagar, District Yamuna Nagar.

6. *FIR No.596 dated 20.11.2021, registered for offence under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Sadar, Yamuna Nagar, District Yamuna Nagar.*
7. *FIR No.697 dated 27.10.2020, registered for offences under sections 148, 149, 323, 379-B, IPC, at Police Station, City Yamuna Yagar, District Yamuna Nagar.”*

A person, who approaches this Court with tainted hands, does not disclose all the true facts and tries to mislead the Court, is not entitled to the discretionary relief of anticipatory bail.

Petition is dismissed.

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

(SUVIR SEHGAL)
JUDGE

22.09.2022
Pardeep

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes