

102 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-22174-2023
Decided on : 04.05.2023

Mohinder Singh @ Rinku

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Ms. Gurinderjit Kaur, Advocate
for the petitioner.

Manjari Nehru Kaul, J.(Oral)

1. The petitioner is seeking concession of anticipatory bail in case FIR No.29 dated 09.02.2023 under Sections 406 and 420 IPC registered at Police Station Kotwali, District Patiala.
2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the instant case. Learned counsel further submits that as per the allegations levelled in the FIR in question, though the complainant had purchased an air conditioner from New M.K.Electronics, however, said air conditioner was never delivered to the complainant. Learned counsel still further submits that it was thus, evident that the petitioner had no role to play and he had been implicated in the case in hand only because he was an agent of the finance company i.e. Bajaj Finance, through which the complainant had financed the aforementioned purchase of air conditioner. It has also been submitted that a false case has been planted only with an oblique motive to

harass the petitioner and to exert pressure upon the co-accused to deliver the air conditioner to the complainant.

3. Heard learned counsel for the petitioner and perused the relevant material available on record.

4. A perusal of the FIR reveals that there are specific and serious allegations levelled against the petitioner of obtaining the ID of the complainant and thereafter illegally taking possession of the air conditioner, which after purchase from New M.K.Electronics had been loaded on an auto-rickshaw. Furthermore, the petitioner comes across as a habitual offender as he is involved in other criminal cases of similar nature, which are as follows:

1. FIR No.227 of 2018 under Sections 420, 467, 468 and 471 at P.S. Kotwali, District Patiala
2. FIR No.264 of 2018 under Section 420 at P.S. Kotwali, District Patiala

5. It is evident that the crime in question has been committed by the petitioner while he was on bail in the above cases and has hence misused the concession of bail granted to him.

6. In the circumstances, this Court does not deem it fit to extend the concession of anticipatory bail to the petitioner. Accordingly, the present petition stands dismissed.

(MANJARI NEHRU KAUL)
JUDGE

04.05.2023

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Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No