

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(101)

CRM-M-42529-2023

Decided on : 22.09.2023

Lakhwinder Singh

.....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr.M.K.Dhot, Advocate for the petitioner (s).
Mr.V.G.Jauhar, Addl.A.G., Punjab.

G.S. Sandhawalia, J. (Oral)

Second anticipatory bail petition has been filed under Section 438 Cr.P.C. in FIR No.76 dated 22.04.2022 registered under Section 420, 34, 506, 120-B IPC at P.S. City Sunam, District Sangrur.

2. While entertaining the first petition qua the other accused whose anticipatory bail was allowed later on 14.09.2022, the petition was dismissed on 15.06.2022 qua the petitioner by observing as under:

“Counsel inter alia submits that mere presence of petitioner No.2 as such at the time of sale of Horse would not be sufficient to implicate him under Section 120-B IPC. The money is stated to have been received by Jatinder Pal Sekhon on account of a group created on WhatsApp, in which even the petitioner No.1 Lakhwinder Singh was a member.

In such circumstances, counsel is not able to press the application on behalf of the petitioner No.1 and, thus, the same is dismissed qua petitioner No.1.

Notice of motion qua petitioner No.2.”

3. A period of almost one year has gone by since then and the petitioner is still not been apprehended and neither he has surrendered though very much aware of the proceedings and the trial has thus been delayed on account of the prosecution not being able to apprehend him. Accordingly, no ground is made out to entertain the second bail petition as there is no change in the facts and circumstances.

4. A perusal of the FIR would go on to show that the petitioner is the one who had sent the post to sell the horse for Rs.14 lakhs which was portrayed as having a black colour and later on it was found that the horse had been painted and it was in such circumstances, the FIR had been lodged. It is a case of duping innocent people and it is for the investigating agency to arrest such persons to find out the methodology adopted for cheating people and the modus operandi and the number of people who are involved in such activities.
5. Accordingly in view of the above, no ground is made out for grant of anticipatory bail and the present petition is accordingly, dismissed.

22.09.2023
Sailesh

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned :	Yes	
Whether Reportable :		No