

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

CRM-M No.55708 of 2023
Date of decision: 4th December, 2023

Paramjit Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. R.S. Sidhu, Advocate for the petitioner.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.0056 dated 15.07.2020 under Sections 406, 420 of the IPC and Section 13 of the Punjab Travel Professional (Regulation) Act, 2014 registered at Police Station Phase 11, District SAS Nagar (Mohali). This is second petition filed by the petitioner.

2. Learned counsel for the petitioner submits that a totally false and frivolous case has been planted upon him; allegedly the petitioner was running a consultancy firm helping students in applying for visa to study abroad. Learned counsel submits that the complainant had approached the firm of the petitioner to get assistance for visa application to study in Canada; due to poor academic performance and non-fulfillment of the eligibility criteria of the complainant, his visa application was rejected by the Canadian Embassy. It has been submitted

that the parties had agreed that the petitioner would return ₹ 6.50 lacs out of which, the petitioner had already returned ₹ 5.95 lacs.

3. Learned counsel further submits that though the petitioner had earlier not joined investigation pursuant to an order passed by this Court on 10.02.2021, and thereafter, his earlier petition came to be dismissed by this Court vide order dated 21.07.2023 annexed as Annexure P-5. However, now the petitioner was ready to join investigation and cooperate with the investigating agency.

4. I have heard learned counsel for the petitioner and perused the relevant material on record.

5. Admittedly, though the petitioner had been extended the concession of interim bail by the Court below, he had failed to appear, owing to which his application for anticipatory bail was dismissed. Thereafter, he had approached this Court by way of CRM-M No.4034 of 2021 and vide order dated 21.07.2023 the petition for anticipatory bail was dismissed by the Court in following terms:

“2. Petitioner was accorded concession of interim protection vide order dated 10.02.2021 and 19.04.2021 vide which his arrest was stayed during pendency of proceedings before this Court. It appears that thereafter, matter was taken up on various occasions i.e., 14.09.2021, 28.09.2021, 12.10.2021 and 24.11.2021 and on one pretext or other, adjournments were sought. In the premise, co-ordinate Bench of this Court then seized of the matter, on

10.03.2022 when none appeared on behalf of the petitioner, passed the following order:

‘Despite the matter being passed over as well as on repeated calls, no one has put in appearance on behalf of the petitioner. In the interest of justice, adjourned to 20.05.2022. Interim protection granted to the petitioner vide order dated 19.04.2021 shall stand vacated.’

3. *Perusal of above order reflects that there is some typographical mistake in the last sentence and taking advantage thereof even subsequently, when matter was taken up for hearing on various occasions i.e., on 20.05.2022, 15.09.2022, 27.10.2022, 02.02.2023 and 10.04.2023, no assistance was rendered and on the contrary, adjournments were sought for one reason or the other. When called out today, none appears on behalf of the petitioner. On a Court query, learned State counsel, on instructions from ASI Sandeep Kumar, states that not even on a single occasion, petitioner has joined investigation despite being summoned by the Investigating Officer and has been on the run even since registration of FIR. Seeing the conduct of the petitioner, no indulgence can be granted to him by this Court.*

4. *Petition stands dismissed. Interim order stands vacated.”*

6. On a pointed query put to the learned counsel, he has failed to satisfy this Court as to how this second petition for anticipatory bail is maintainable, more so, since the first petition was dismissed.

7. In the circumstances, no ground is made out to extend the extraordinary concession of anticipatory bail to the petitioner. The petition stands dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

December 4, 2023

rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No