



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

104

CRM-M-22861-2024

Date of decision: May 8th, 2024

Manjit Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Balbir Singh, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in case FIR No.43 dated 22.02.2022 under Section 420 of the IPC registered at Police Station Cantonment, Police Commissionerate Amritsar.

2. Learned counsel for the petitioner, *inter alia*, contends that a totally false and fabricated version has been brought forth against him in the FIR in question. He submits that in fact, there were to be some business dealings between the petitioner and the complainant, however, due to the outbreak of Covid, the same could not fructify. Resultantly, the complainant feeling offended lodged the FIR in question against him. He submits that even the amount which had been allegedly paid to the petitioner stood repaid in May 2021.

3. Notice of motion.

4. On the asking of the Court, Mr. Navdeep Singh, Deputy Advocate General, Punjab, accepts notice on behalf of the respondent.

5. Learned State counsel, on instructions from ASI

Satnam Singh, has informed the Court that the petitioner has not approached this Court with clean hands as he has withheld from this Court his criminal antecedents; the petitioner is involved in a couple of other criminal cases of identical nature; the crime in question was committed while he was on bail in the other criminal cases, which stood registered against him. Learned State counsel submits that in the circumstances, it is evident that he is a habitual offender, who does not deserve to be extended the concession of bail as his custodial interrogation would be required.

6. I have heard learned counsel for the parties and perused the relevant material on record.

7. As per the allegations levelled against the petitioner, he lured the complainant by giving him an assurance that he would get his younger brother employed as a Peon since he was a close relative of the District and Sessions Judge, Amritsar, and thereafter, he obtained a huge amount of money from him; he was not a relative of the District and Sessions Judge, Amritsar, and furthermore, as per allegations, he did not even return the amount of money which he had obtained from the complainant. A cheque which was issued by the petitioner in the name of the complainant was later found to be a forged document.

8. This Court would not like to comment on the truthfulness or otherwise of the allegations levelled against the petitioner at this stage. *Prima facie*, the petitioner does come across as a habitual offender as he is admittedly involved in other criminal cases, coupled with the fact that he has also withheld his criminal antecedents from this Court.

9. The instant petition stands dismissed.
10. 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.

May 8th, 2024

Puneet

(MANJARI NEHRU KAUL)

JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No