



CRM-M-34834-2024

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**204 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-34834-2024****Date of decision : 27.09.2024****Harpreet Singh****...Petitioner****Vs.****State of Punjab****...Respondent****CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present: Mr. Naveen Sharma, Advocate for
for the petitioner.

Mr. Rahul Jindal, AAG, Punjab.

DEEPAK MANCHANDA, J.

1. Through this petition filed under Section 439 Cr.P.C., the petitioner has sought regular bail in case FIR No.79 dated 16.08.2021 (Annexure P-1) under Sections 302, 201 and 34 Indian Penal Code of 1860 registered at Police Station Jhunir, District Mansa.

2. The facts, in brief, are that the present FIR was got registered by Jarnail Singh on the ground that his brother-in-law Jagsir Singh @ Jagga was 70% polio disabled. Accused-petitioner Harpreet Singh used to take Jagsir Singh alongwith him and bring him back home in the evening. On 9.8.2021, while he was coming to village Jhunir to meet his sister Charnjit Kaur at about 7.00 p.m., in the area of bus stand, he saw petitioner and Lucky (co-accused) taking Jagsir Singh (deceased) with them on a motorcycle. Thereafter, he went back home, however, his brother-in-law Jagsir Singh (deceased) did not come back. He was informed by his father-in-law that petitioner Harpreet Singh had threatened that in case Jagsir Singh did not give back amount of Rs.10,000/- which he owed to him, he would suffer serious consequences. Consequently,

on 15.8.2021 dead body of Jagsir Singh was got recovered from Bhakra Canal at village Makhewala and he had great belief that his brother-in-law Jagsir Singh was killed by Harpeet Singh and Lucky Singh (co-accused) after giving him injuries.

3. A perusal of case file would show that the petitioner also filed CRM-M-60955-2022 before this Court, which has been dismissed vide order dated 14.03.2023. Thereafter, through another bail application, he approached trial Court, which has been dismissed vide order dated 14.05.2024 (Annexure P-2) and even at that time the earlier dismissal order dated 14.03.2023 passed by this Court was not brought into the notice of the trial Court. Now, the petitioner has again approached this Court through the present bail application, whereas in para No.10 of the petition, the factum of filing earlier petition has been concealed. Para No.10 of the petition reads as under:-

“10. That no such or similar petition has earlier been filed by the petitioner in this Hon’ble Court or in the Hon’ble Supreme Court of India. No such or similar petition is pending before the Court of Session or any other Court at the time of filing of the present petition.”

4. Since, the petitioner has concealed the fact of earlier petition and its dismissal vide order dated 14.03.2023 and styled the present petition as first petition under Section 439 Cr.P.C and has not come to the Court with clean hands, therefore, the petitioner does not deserve the concession of regular bail as prayed for. Moreover, his first such petition bearing CRM-M-60955-2022 was dismissed on merits and there are no changed circumstances.

5. Resultantly, present petition is dismissed.

(DEEPAK MANCHANDA)

JUDGE

27.09.2024

vanita	Whether speaking/reasoned :	Yes	No
	Whether Reportable :	Yes	No