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

CRR-1727-2024 (O&M)
Decided on : 09.09.2024

Gulshan Valecha

..... Petitioner

Versus

Sunil and others

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Jagdeep Singh Bajwa, Advocate
for the petitioner.

Manjari Nehru Kaul, J.(Oral)**CRM-36366-2024**

For the reasons mentioned in the application, same is allowed and the delay of 150 days in filing the revision petition stands condoned.

Main case

The present petition has been filed impugning the order dated 10.01.2024 passed by Addl. Sessions Judge, Hisar vide which an application filed by him under Section 341 Cr.PC was dismissed.

2. Learned counsel for the petitioner submits that Lower Appellate Court erred in dismissing the application filed by the petitioner under Section 341 Cr.PC; the petitioner had lodged a complaint against respondents No.1, 3 and 5 and upon being summoned by the learned Trial Court, respondents No.2, 4 and 6 furnished surety bonds alongwith their affidavits. In these affidavits,



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they falsely declared that they had not previously stood as surety in any other case, when in fact, respondents No.2, 4 and 6 had already furnished bail bonds in a separate matter. Learned counsel for the petitioner has reiterated his submissions and position he had taken before the Court below and which is also contained in his application, which has been annexed as Annexure P-1.

3. I have heard learned counsel for the petitioner and perused the material placed on record.

4. It is important to note that Section 340 Cr.PC empowers the Court to conduct an inquiry into the commission of any offence under Section 195(1)(b) Cr.PC, provided the Court deems such an inquiry expedient in the interest of justice. As per settled law, the guiding factor in determining whether to initiate such an inquiry is the impact that the commission of the alleged offence would have on the administration of justice.

5. In the instant case, it is pertinent to highlight that the bail granted to respondents No.1, 3 and 5 was not based on the bail bonds furnished by the other respondents. Rather, the bail bonds were submitted after bail had already been granted to respondents No.1, 3 and 5. Furthermore, upon discovering the error in the statements made in their affidavits, respondents No.2, 4 and 6 promptly withdrew the erroneous affidavits and thereafter submitted fresh bail bonds on behalf of respondents No.1, 3 and 5.

6. In the facts and circumstances as enumerated hereinabove,



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this Court does not find any merit in the instant petition. Accordingly, the instant petition stands dismissed.

7. Since the main case has already been decided, all the pending application(s), if any, be also disposed of.

09.09.2024
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(MANJARI NEHRU KAUL)
JUDGE

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