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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-48635-2024 (O&M)****Date of Decision : 04-10-2024****ISHMA SINGH ALIAS ISHMA RAM****.....Petitioner****VERSUS****STATE OF PUNJAB****.....Respondent(s)****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Gurcharan Singh Bains, Advocate for the petitioner.

Mr. Manipal Singh Atwal, DAG Punjab.

HARSIMRAN SINGH SETHI, J. (Oral)

In the present petition, the prayer of the petitioner is for grant of anticipatory bail in FIR No.54 dated 29.05.2020 registered for the offences punishable under Sections 420, 465, 468, 471 and 120-B of IPC registered at Police Station Sanaur, District Patiala (Annexure A-1).

It may be noticed that the petitioner had approached this Court after filing CRM-M No.18881 of 2020. After arguing for some time, the said petition was withdrawn on 16.07.2020 (Annexure P-5).

The present is the second petition for grant of anticipatory bail.

Learned counsel for the petitioner submits that as the other co-accused have been granted the concession of regular bail, the petitioner is also entitled for grant of anticipatory bail hence, the petitioner be extended the concession of anticipatory bail.

Learned State counsel submits that the petitioner is evading arrest and despite various raids, he has remained successful in evading his arrest.

Learned State counsel further submits that the actually the loan was taken in the name of the petitioner in connivance with the other co-accused and the petitioner, despite withdrawal of his first anticipatory bail more than 4 years ago has filed the present anticipatory bail, which is liable to be dismissed.

I have heard learned counsel for the parties and have gone through the records of the present case with their able assistance.

The present is the second anticipatory bail which is not permissible. The only argument being given by the petitioner is that the other co-accused have been granted the concession of regular bail and one of the co-accused had been granted anticipatory bail. Merely the said fact will not entitle the petitioner to file the second anticipatory bail.

Further, for the last more than 4 years, the petitioner is evading arrest. This shows the conduct of the petitioner.

As per the respondents, the custodial interrogation of the petitioner is necessary to find out as to how the petitioner granted the loan by defrauding the society concerned.

Keeping in view of above facts, no ground is made out for the grant of anticipatory bail to the petitioner especially when, the present is the second anticipatory bail.

Hence, the anticipatory bail of the petitioner stands dismissed.

Needless to say that anything observed herein shall not be construed to be an opinion on the merits of the case.

04-10-2024
Sapna Goyal

(HARSIMRAN SINGH SETHI)
JUDGE

NOTE: Whether speaking: YES/NO
Whether reportable: YES/NO