

2025:PHHC:056760



CRM-M-53423-2024  
241 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-53423-2024  
Decided on: 01.05.2025

Sukhdev Ram ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Varun Katyal, Advocate  
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

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ANOOP CHITKARA, J.

| FIR No. | Dated      | Police Station               | Sections                        |
|---------|------------|------------------------------|---------------------------------|
| 398     | 13.09.2023 | Ellanabad, District<br>Sirsa | 15C/27A/29/61/85 of NDPS<br>Act |

1. The petitioner incarcerated in the FIR captioned above has come before this Court seeking regular bail under Section 483 BNSS.
2. In para 17 of the petition, petitioner has mentioned that no other FIR is pending against him. However, this fact is contradicted by the State counsel and submits that one case is pending against the petitioner in Rajasthan, in which he has been granted bail. According to the State, there is one more case under IPC, however the State submits that they do not have the data base of other States and they could not say about other pending cases in other states of India.
3. At this stage, petitioner’s counsel submits that non-mentioning of criminal history was un-intentional and it is due to lack of communication and lack of awareness of petitioner’s family.
4. The petitioner did not disclose the complete criminal antecedent.
5. Criminal antecedents are one of the most important aspects while granting or rejecting bail. The petitioner chose not to disclose the criminal history correctly.

2025:PHHC:056760



2

CRM-M-53423-2024

Considering the bail petition of an accused with a criminal history throws an onerous responsibility upon the courts to act judiciously and reasonably because arbitrariness is the antithesis of law. The criminal history must be of cases where the accused was convicted, including the suspended sentences and all pending First Information Reports, wherein the bail petitioner stands arraigned as an accused. Although crime is to be despised and not criminal, for a recidivist, the contours of a playing field are marshy, and the graver the criminal history, the slushier the puddles.

6. Given above, the petition is dismissed for concealment, with the liberty to file a fresh after disclosing all criminal antecedents relating to any part of India or abroad. It is clarified that this Court shall not draw any adverse inference against the petitioner for non-disclosing of criminal history. It is further clarified that power of attorney filed in the present case shall suffice and there shall be no need to file fresh power of attorney in the fresh petition, if filed and Registry shall not raise any objection. All pending applications, if any, stand closed.

(ANOOP CHITKARA)  
JUDGE

01.05.2025  
anju rani

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