



**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

209

CRM-M-21864-2026 (O&M)
Date of decision : 18.05.2026

Avtar Singh

..... Petitioner(s)

Versus

State of Punjab

..... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present: Mr. Surjit Singh Swaich, Advocate for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

SURYA PARTAP SINGH, J. (Oral)

This petition for pre-arrest bail is the second petition filed by the petitioner under Section 482 of 'the Bharatiya Nagarik Suraksha Sanhita, 2023'. It has been filed with regard to a case arising out of FIR No.133 dated 09.11.2023, for the commission of offence punishable under Section 420 of Indian Penal Code, 1860 (Section 318 of BNS), Police Station Fatehgarh Sahib, District Fatehgarh Sahib.

2. Briefly stating the facts emerging from record are that the FIR of this case came into being at the instance of 'Rachhpal Singh', hereinafter being referred to as 'complainant' only. It was stated by the complainant that with regard to sale of a house a deal was struck between him and 'Avtar Singh' (petitioner herein), and that as per above mentioned deal, an agreement to sell, dated 18.02.2022 was executed by the petitioner in favour of complainant. According to complainant the total sale consideration was fixed as Rs.24,00,000/-, and that the entire sale consideration was paid by

9. A perusal of record shows that in paragraphs No.9 and 10 of the order dated 09.03.2026, following observations were recorded:-



As far as the principles of law laid down in the above mentioned cases are concerned, they are not applicable to the facts and circumstances of the present case. There is nothing on record to show that the petitioner has been wrongly declared a proclaimed offender or that he was not aware of the criminal proceedings pending against him.

As far as the present bail petition is concerned, at the very outset, it is pertinent to mention here that to seek benefit of anticipatory bail one of the most relevant aspect to be taken into consideration, is the past conduct of the petitioner. A perusal of record shows that petitioner is a person, who is already facing prosecution in more than four other cases and, as stated by learned counsel for the complainant, in two cases he has been declared a proclaimed offender. The petitioner's conduct speaks in volumes with regard to lack of respect for the Court, and amount to misuse of process of law.

10. In view of abovementioned observations, it is apparent that the petition for anticipatory bail, filed by the petitioner, was dismissed solely on the ground that his past conduct was not clean, as he had been declared a proclaimed offender. The abovementioned past conduct still exists, being part of the history. The abovementioned conduct can't be ignored despite the fact that in those two cases, wherein he was declared proclaimed offender, he has been accorded the benefit of bail by the Court.

11. Thus, taking into consideration the abovementioned fact, it is hereby observed that no new ground for maintaining the present petition, which is second petition, is made out, and that the present petition being devoid of merits deserves dismissal.

12. As a sequel to abovementioned observations, the present petition is hereby ***dismissed***, accordingly.



13. Pending miscellaneous application(s), if any, shall stand disposed of.

(SURYA PARTAP SINGH)
JUDGE

18.05.2026
Vinod

Whether speaking / reasoned	Yes/No
Whether Reportable	Yes/No