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

CRM-M-40954 of 2016

Date of decision: December 13, 2016

Krishan Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. Surinder Garg, Advocate for the petitioner.

Mr. Shilesh Gupta, Addl. AG Punjab.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

In FIR No.46 dated 27.06.2016, under Section 379-B of Indian Penal Code, 1860, registered at Police Station Kot Bhai, District Sri Muktsar Sahib, the petitioner seeks grant of relief of anticipatory bail.

The main accused, namely Nirmal Singh has been arrested and granted regular bail. In so far as the present petitioner is concerned, following are the allegations in the FIR, which I quote here under:-

“xxxx. Nirmal Singh and his brother Krishan Singh entered into room of our house to whom I served water. When I was taking out some money from the amount which was wrapped in a piece of cloth (saffa) kept in the trunk lying on the peti for the purpose of buying goods from mandi for the marriage of my son. Then Nirmal Singh and

Krishan Singh snatched Rs.1,15,000/- that was wrapped in a cloth, from my hand. When I tried to stop them then Nirmal Singh etc. pushed me and threw me down and threatened me that if I will inform this to police or anyone else then they will kill me. Thereafter both of them after snatching my money, which was wrapped in a piece of cloth, ran away on the motorcycle with their companions who were standing outside. I narrated the whole incident to my family but due to fear could not inform the police. Thereafter, I personally requested Nirmal Singh etc. to return my money but they didn't listen to me. xxxx.”

From the above allegations in the FIR, it is absolutely clear that the petitioner has equal role like his brother. There is no reason as to why the petitioner should be extended the relief of anticipatory bail.

In that view of the matter, this petition for grant of relief of anticipatory bail to the petitioner, is dismissed. However, liberty is reserved in favour of the petitioner to apply for regular bail.

(A.B. CHAUDHARI)
JUDGE

December 13, 2016

mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No