

210.

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

CRM-M-17742-2017

Date of decision:11.08.2017.

RAJINDER SINGH

... Petitioner

versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Munish Gulati, Advocate,
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

Mr. Abnash Singh, Advocate,
for the complainant.

HARI PAL VERMA, J.

Vakalatnama filed on behalf of complainant is taken on record.

This is the second petition filed by the petitioner under Section 439 Cr.P.C. for the grant of regular bail pending trial in case FIR No.246 dated 16.11.2014 under Sections 170, 171, 395, 420, 506 and 473 IPC and Sections 25 and 29 of Arms Act, 1959, registered at Police Station Sarabha Nagar, Ludhiana.

The allegation against the petitioner is that on 16.11.2014 at about 10:15 AM, he along with other co-accused came to the house of the complainant-Rakesh Kumar. The accused were seven in number.

One of them was in police uniform, whereas the other six accused were

in civil dress. On entering the lobby of complainant's house, the accused said that they are from the Income Tax Department and that black money of ₹50 crores is lying with the complainant and they have been sent from Delhi. At that time, the complainant, his wife-Neelam Gupta, his son-Akshit Gupta, as well as two private security guards and one gate keeper were present in the lobby of the house. They all were made to sit inside. Thereafter, the accused asked the complainant and his wife that whatever cash amount is lying in their house, the same be placed before them. Out of these accused, three persons were holding revolvers in their hands and were claiming themselves to be Officers of the Police Department and Income Tax. They had taken all mobile phones of complainant's family members including those of the security employees in their possession. Thereafter, all these persons searched the house of the complainant at gunpoint and kept on opening the almirah and drawers and after searching, wherever the cash amount was lying, collected the same.

Learned counsel for the petitioner has argued that there is no evidence against the petitioner and he has illegally been arrested. The petitioner is in custody since 05.12.2014. No Test Identification Parade qua the petitioner has been conducted after his arrest.

Learned State counsel has stated that the petitioner is involved in as many as four other cases and FIRs have been registered against him.

I have heard learned counsel for the parties.

Since there are serious allegations against the petitioner and he was one of the members of the gang who committed dacoity in the house of the complainant, this Court does not find any merit in the present petition and accordingly, the same is dismissed.

However, considering the fact that the FIR was registered on 16.11.2014, the trial Court shall make an endeavour to expedite the trial in the case.

(HARI PAL VERMA)
JUDGE

11.08.2017
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.