

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

CRM-M-43990 of 2017 (O&M)

Date of decision: 07.12.2017

Monu Ram

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Lajpat Sharma, Advocate
for the petitioner(s).

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.201 dated 21.08.2017, registered under Sections 354, 506, 452, 365, 411 read with Section 34 of IPC, at Police Station Patran, District Patiala.

The notice of motion has already been issued in the connected case bearing CRM-M-35383-2017 which is listed for today.

Notice of motion.

At the asking of the Court, Ms. Anju Arora, Addl. A.G., Punjab, accepts notice on behalf of the respondent-State. A complete copy of the paper book has been furnished to the learned State counsel, in the Court.

At this stage, Mr. Sanjeev Majra, Advocate appears and causes representation on behalf of the complainant.

It is contended that the petitioner was neither present on the

spot nor committed any offence as alleged in the FIR. The occurrence took place on 18.08.2017 and the present FIR came to be registered on 21.08.2017. Co-accused, Sanju @ Deep Singh has been granted the concession of regular bail by the trial Court.

On the other hand, the learned State counsel, on instructions submits that the petitioner is involved in another FIR No.197 dated 05.10.2013, registered under Sections 399 and 402 of IPC.

Learned counsel for the complainant opposes the prayer made on behalf of the petitioner.

Heard.

The petitioner has been specifically named by the complainant, Ruby daughter of Gurmail Singh that he along with co-accused entered the house of the complainant and tried to drag her out while she was watching television in her room and her family members were having dinner at first floor. On her raising alarm, her uncle Jagmail Singh and others reached on the spot, on seeing them, the assailants fled in the car after criminally intimidating her. The case of co-accused Sanju @ Deep Singh is not at par with the petitioner since he was granted regular bail whereas the petitioner is seeking pre-arrest bail. The Court feels that considering the specific allegation and the antecedents of the petitioner, it is a fit case where custodial interrogation of the petitioner is required to unearth the truth. The prayer made in the present petition is declined.

Dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

07.12.2017
sumit.k

(JITENDRA CHAUHAN)
JUDGE

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