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

CRM-M-45316 of 2016

Date of decision: February 16, 2017

Rakesh @ Bala

.....Petitioner

Versus

State of Punjab

.....Respondent

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

Present: Mr. Anterpreet Singh, Advocate for the petitioner.

Ms. Rajni Gupta, Addl. AG Punjab.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

This is a petition for grant of regular bail, in FIR No.132 dated 01.08.2016, under Sections 397, 506, 120-B of Indian Penal Code, 1860 and Sections 25, 27 of the Arms Act, 1959, registered at Police Station Division No.5, District Police Commissionerate, Ludhiana.

Following are the allegations in the FIR:-

“Today, it was at about 03:40 PM, as when I and my staff, in which Rajiv Suri Cashier, Varun Walia, C.T.O., Madam Anchal Scale one Office, Madam Raveena Peon and Gurbhajan Singh Record Keeper of Bank had been working in the bank upon their respective seats, as when four youth in which two were Sikhs and two were clean shaven, who had tied their mouth, out of whom two were having pistol, their age will be about 25-35 years, out of whom the Sikh Youth after coming inside the bank fired a shot in the air, which hit in the roof. One Sikh youth came in my cabin. One Sikh youth and one clean shaven youth stood in the hall. The Sikh person came in my cabin pointed the pistol towards me, one youth wearing red cap went away to the cabin of the cashier, the

youth visited the cashier on the point of knife looted a sum of Rs.15 lacs from the cashier Rajiv Suri, rest I will disclose after making comparison with my accounts. I made a phone call on phone No.100 from the landline phone of the bank. You have come at the spot. The above mentioned youth have looted the amount of the bank on the point of the weapons and have been filed away from the spot after taking away the amount.”

Following are the reasons given by the learned trial Court in its order dated 01.12.2016:

“On these allegations, the FIR was registered and investigation was conducted and during the investigation, the present applicant Rakesh Kumar and three other persons were identified, out of which the applicant, Sukhwinder Singh and Ajay Kumar were arrested and from their possession, the recovery of the notes which were robbed by them from the bank was effected. From the possession of Rakesh, present applicant Rs.71,000/- were recovered and also one country made pistol, which was used in crime, was recovered. So, the allegations against the applicant are very serious that he is indulged in the act of robbery along with the co-accused and even committed a robbery in the bank amounting to Rs.15 lacs.”

The recovery of huge amount of ₹71,000/- was made from the petitioner. Petitioner is not at all entitled to the benefit of regular bail.

Petition stands dismissed, accordingly.

(A.B. CHAUDHARI)
JUDGE

February 16, 2017

mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No