

In the High Court of Punjab and Haryana at Chandigarh

208

**CRM-M No.10346 of 2018
Date of decision: 27.3.2018**

Shivam and anr

.....petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr.Manish Behl, Advocate for
Mr.Sahil Khungar, Advocate,
for the petitioner.

Mr.Sandeep Kumar, DAG, Punjab.

RAJ MOHAN SINGH, J (oral)

Petitioners seek grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No. 10 dated 13.1.2018 registered under Section 382 IPC and Section 411 IPC (added later on) at Police Station Moti Nagar, District Police Commissionerate, Ludhiana.

As per the allegations, on 12.1.2018, complainant along with his son was present in the house. At about 8.30 PM, doorbell rang and the complainant opened the door. Two young boys were found standing and they demanded Lohri feast. Thereafter, they barged into the house and by placing a hand on the mouth of the complainant threw him inside the room and demanded cash. Further allegations are to the effect that they gave beatings to the complainant and also wielded some pistol

like weapon on his face. Four other young boys have followed them and they also made entry in the house. An amount of ₹ 70,000/- was handed over to them by the complainant. They also broke open almirah in the other room and took away cash of ₹ 52,000/- besides some silver coins and silver statute of Goddess Laxmi. Petitioners were named in the disclosure statement of co-accused, namely, Gautam @ Bhambal and Kala @ Dhiri.

Learned State counsel, on instructions from ASI Baldev Raj, submitted that recoveries are still to be effected from the petitioners, therefore, their custodial interrogation is required.

Keeping in view the gravity of allegations, I do not seek any ground for granting indulgence to the petitioners under Section 438 Cr.P.C..

Accordingly, this petition is dismissed.

(RAJ MOHAN SINGH)
JUDGE

March 27, 2018
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Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No