

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

214

CRM-M-18546-2018

Date of Decision: July 24, 2018

Gagandeep Singh

.....Petitioner(s)

versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Sarju Puri, Advocate
for the petitioner.

Mr. Jasdeep Singh Walia, Sr. DAG, Punjab.

Mr. Rishu Mahajan, Advocate
for the complainant.

Sudhir Mittal, J. (Oral)

The petitioner-Gagandeep Singh son of Iqbal Singh, seeks grant of anticipatory bail in case FIR No.0048 dated 06.04.2018, registered at Police Station Nawanshahar, District SBS Nagar, under sections 406, 420 IPC.

2. Vide the order dated 03.05.2018, interim bail had been granted to the petitioner as he had argued that the petitioner is not the person named in the FIR and that he has been wrongly implicated.

3. Pursuant to the aforementioned order, the petitioner has joined investigation. However, learned State counsel on instructions from ASI Kuldeep Singh, submits that in fact the petitioner is the person named in the FIR as Gagandeep Singh son of Surjit Singh. The petitioner is actually Gagandeep Singh son of Iqbal Singh. He is closely related to Surjit Singh and as such residing in his

house for a very long time. Since he used to accompany Surjit Singh everywhere, the complainant mistook him as son of Surjit Singh. Further, Police investigation has revealed that the petitioner was closely involved in the activities of Surjit Singh and that when the sum of Rs. 2 lacs was handed over by the complainant, the same was accepted and counted by the petitioner. Thus, the petitioner does not deserve to be granted anticipatory bail.

4. Learned counsel for the petitioner however, submits that as per the contents of the FIR, there is not a single allegation against the petitioner. The petitioner is being falsely implicated since he is available in India. Most of the money has been paid to the son and daughter-in-law of Surjit Singh as is evident from the FIR. The petitioner is innocent and has already joined investigation pursuant to order dated 03.05.2018 and therefore, his interim bail should be confirmed.

5. The police investigation has revealed that the petitioner is closely involved in the activities of aforementioned Surjit Singh. Thus, the mere fact that no specific allegation has been made against the petitioner in the FIR, would not be sufficient to conclude that in fact the petitioner was not involved in the incident leading to the registration of the present FIR. A large sum of Rs.17 lacs has allegedly been paid by the complainant and thus, in my opinion, the petitioner is not entitled to discretionary relief of anticipatory bail.

6. The petition is accordingly dismissed.

July 24, 2018

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned :	Yes
Whether Reportable :	No