

CRM-M-2161-2018(O&M)
Date of decision: 25.01.2018.

Ajitpal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. K.S.Kang, Advocate, for the petitioner.

Mr. Rahul Rathore, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail to the petitioner in case FIR No.127 dated 24.07.2015 under Sections 382, 323, 506, 148, 149 of IPC, registered at Police Station Morinda, District Rupnagar.

As per allegation in the FIR, the complainant, had sold Newzial Ailcell Record to co-accused Kuldeep Singh for a consideration of Rs.23,00,000/- and had received Rs.17,00,000/-. When he demanded the balance amount, petitioner-Ajitpal Singh, from his mobile phone called the complainant and directed him to visit Kharar. It is further revealed in the FIR when the complainant reached there, Ajitpal Singh (petitioner herein) again made a telephonic call to the complainant to come to village Gharuan and when the complainant along with his friend Kalaljit reached there, he again had a telephonic conversation with petitioner asking him about his location and the petitioner informed him to come to village Maankheri at GP Farm. On reaching GP Farm, the complainant was attacked by the petitioner along with other co-accused and in that incident, he lost one tooth and suffered no other injury. It is also alleged in this FIR that petitioner gave a fist blow to Kamaljit Singh when he tried to rescue the complainant. The complainant was also forced to sign six blank cheques from a cheque book which was lying in his car and his certain articles were also snatched.

Counsel for the petitioner submits that there is no direct allegation against the petitioner as the business dealing was with the complainant and co-accused Kuldeep Singh.

However, learned State counsel, on instructions from ASI Sukhjit Singh has opposed the prayer for grant of anticipatory bail to the petitioner, submitting that the FIR pertains to 24.07.2015 and the petitioner as well as other accused Kuldeep Singh are evading their arrest. It is also stated that there are direct allegations against petitioner-Ajitpal Singh regarding the mode of calling to complainant at different places and also beating him. It is, thus, submitted that the custodial interrogation of the petitioner is required.

After hearing counsel for the parties, I find no merit in the present petition. Perusal of the FIR shows that petitioner-Ajitpal Singh was in continuous conversation with the complainant on his mobile phone and on the asking of the petitioner, the complainant reached at the place as was informed by the petitioner and thereafter he was given beatings which resulted into loss of one tooth. The FIR is of the year 2015 and the petitioner is evading his arrest, therefore, no ground for anticipatory bail is made out.

Dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

25.01.2018
Hemlata

Whether speaking/reasoned	Yes / No
Whether reportable	Yes / No