

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

**CRM-M No.22992 of 2018 (O&M)
Date of Decision: 30.05.2018**

Davinder Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Anantdeep Singh Sandhu, Advocate for the petitioner.

Mr. Harbir Sandhu, Assistant Advocate General, Punjab
for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

The present petition has been filed under Section 438 of the Code of Criminal Procedure (Cr.P.C.) for grant of anticipatory bail to the petitioner in case FIR No.82 dated 18.04.2018, under Sections 379-A and 379-B of the Indian Penal Code, registered at Police Station City Faridkot, District Faridkot.

Brief facts of the case are that on 18.04.2018, complainant-Naib Singh got recorded his statement stating that Sukhjit Singh, Driver of his combine was harvesting the wheat crop in the fields of Swaran Singh. After completing their work, complainant along with Harmander Singh reached in the fields of Swaran Singh on his Car bearing Registration No.PB-04-N-0067, then one Swift Dzire Car, in which, two persons were sitting, came from their backside and they asked him about the direction of the road. Out

of them, one person was having a weapon like “pistol”. Thereafter, they snatched the purse of the complainant, containing some important documents and an amount of Rs.4/5,000/- from Harmander Singh and ran away from there. On the same very day, one Surinder Kumar s/o Balwant Rai has also got recorded his statement narrating the similar incident, which took place with him on 17.04.2018. The present FIR was registered on the statement of Naib Singh against unknown persons. On 19.04.2018, on the statement of Raja Singh s/o Jarnail Singh, the name of the petitioner has been surfaced in the present case. On 04.05.2018, Gurtej Singh @ Teja, M.C. also made a statement that about four days ago, Davinder Singh @ Happy Gharu (present petitioner) and Hakumat Sharma s/o Ram Saroop Sharma came to his house and made extra judicial confession that they had snatched the cash amount etc. from the persons at Ferozepur road.

Learned Counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and the FIR has been registered against unknown persons. He further submits that on the statement of Raja Singh s/o Jarnail Singh, the petitioner has been named in the present FIR.

On the other hand, learned State Counsel, on instructions from ASI Harphool Singh, P.S. City, Faridkot, states that there are five other criminal cases of the similar nature pending against the present petitioner.

Heard both sides and perused the paper-book.

The concession of pre-arrest bail is not to be granted in a routine manner until and unless the parameters laid down in Section 438 Cr.P.C. is fulfilled by the petitioner and undisputedly, the petitioner is already involved in five other criminal cases of the similar nature, which shows that

the petitioner is a habitual offender and does not deserve any concession of pre-arrest bail. Such incidents of snatching are increasing day-by-day and the persons, like the petitioner, are a menace in the Society. Therefore, no case for grant of anticipatory bail is made out as the custodial interrogation of the petitioner would be required for bringing the relevant material on record.

Accordingly, the present petition is dismissed. The above observations may not be construed as an expression of opinion on the merits of the case.

May 30, 2018

Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes</i>