

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

**CRM-M No.30970 of 2018
Date of decision: 13.09.2018**

Swaranjit Singh @ Seeta

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

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

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this second petition is for grant of anticipatory bail to the petitioner in FIR No.194 dated 19.12.2016 registered under Sections 392 and 458 of the Indian Penal Code (in short 'IPC') (Section 395 IPC added later) at Police Station Bagha Purana, District Moga.

The first anticipatory bail application i.e. CRM-M No.26219 of 2017, filed by the petitioner was withdrawn on 21.07.2017, by counsel for the petitioner after arguing the same for some time.

Counsel for the petitioner has submitted that the petitioner is not named in the FIR and there are no direct allegations against the petitioner. A perusal of the FIR show that the complainant – Sukhmander Singh, who is aged about 76 years had stated that on 09.12.2016, he along with his wife were sleeping in the house and at

about 02:30 am at night, on hearing a noise, when he got up, 04 persons entered in his house and asked for all the valuables and under the threat, the complainant had given the key of the *almirah* out of which 5150 Canadian Dollars, Rs.56,000/- in cash, gold articles and mobile phones were taken away by them.

During the investigation, 02 accused persons namely Talwinder Singh and Manpreet Singh were arrested and from their possession, certain stolen articles were recovered and on their disclosure statement, the name of the petitioner is surfaced.

When the anticipatory bail application of the petitioner was pending before the Additional Sessions Judge, while granting interim stay, the petitioner was directed to join the investigation, however, he failed to get the Canadian Dollars and gold articles recovered and, therefore, the anticipatory bail application of the petitioner was dismissed, noticing the fact that the petitioner is also involved in a similar crime registered in Police Station Mehna vide FIR No.721 dated 07.08.2016 registered under Sections 399 and 402 IPC read with Section 25 of the Arms Act.

All the arguments raised by the petitioner were already considered, at the time when the first anticipatory bail application of the petitioner was withdrawn by his counsel, after arguing the same for some time and there is no new ground or argument raised by counsel for the petitioner to grant anticipatory bail to the petitioner. It is worth noticing here that the petitioner instead of surrendering before the Court is fleeing from the process of justice.

Accordingly, no ground for grant of anticipatory bail to the

petitioner is made out.

Dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

13.09.2018
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No