

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

206

CRM-M-39537-2018

Date of Decision:21.09.2018

Sukhjit Singh @ Lucky

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. Amandeep Singh Gulati, Advocate,
for the petitioner.

Mr. Surinder Pal Singh Tinna, Addl. A.G., Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No.215 dated 30.07.2018 under Sections 399, 402 IPC, registered at Police Station City Tarn Taran, District Tarn Taran.

On the basis of secret information, petitioner as well as other co-accused (total five persons) were named in the FIR. The police has recovered two pistols in the case. One pistol and motorcycle were recovered from co-accused Harpal Singh and the other pistol 12 Bore was recovered from co-accused Gurbir Singh. Similarly, a Scooty which was snatched on 01.07.2018 by the accused including the petitioner from Harpreet Singh and Nishan Singh, was recovered from co-accused Amandeep Singh. However, petitioner along with other co-accused

Ravinder Singh ran away from the spot and therefore, could not be

apprehended though, the other co-accused namely, Harpal Singh @ Bhala, Amandeep Singh @ Sonu and Gurbir Singh @ Gora were arrested.

Learned counsel for the petitioner has argued that the petitioner was not present at the spot and he is not a member of the gang. He is a young boy and there is no other case pending against him.

Learned State Counsel on instructions from the Investigating Officer has argued that in the aforesaid FIR, all the accused including co-accused Ravinder Singh have been arrested. However, the petitioner taking the benefit of the situation succeeded in fleeing away from the place of occurrence. Moreover, the other co-accused, namely, Harpal Singh @ Bhala, Amandeep Singh @ Sonu and Gurbir Singh @ Gora have also named the petitioner in their disclosure statement.

I have heard learned counsel for the parties.

Considering the fact that the allegations against the petitioner are serious and the co-accused have already been arrested in the case, this Court finds that it is the prosecution version which has to be accepted at this stage. Therefore, no ground to grant anticipatory bail is made out.

Dismissed.

September 21, 2018
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No