

CRM-M-41653-2018

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

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Date of Decision:21.09.2018

Sandeep Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Naveen Bawa, Advocate,
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 read with Section 482 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.166 dated 25.11.2017, registered at Police Station Division No.3, District Ludhiana, under Sections 379 and 34 of the Indian Penal Code.

I have heard learned counsel for the petitioner and gone through the record.

As per the allegations in the FIR, complainant-Manjit Kaur alongwith her husband came to Ludhiana to attend the marriage. They were also carrying some luggage. They hired an auto-rickshaw in which four-five persons were already sitting. As per the allegations, gold ornaments were stolen from the luggage. Dalip Kumar, brother of the present petitioner was arrested and on his disclosure statement, the present petitioner was

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nominated in the present case. Otherwise also, the present petitioner was driving the auto-rickshaw and his brother was sitting therein, who had stolen the articles and nominated the present petitioner.

Keeping in view the facts and circumstances of the present case and in view of the fact that the present petitioner is required for custodial interrogation as other stolen articles are still to be recovered, I do not find it a fit case where the petitioner is entitled to the benefit of anticipatory bail.

Therefore, finding no merit in the present petition, the same is dismissed.

21.09.2018
parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No