

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

209

CRM-M-42381-2018

Date of Decision:22.10.2018

Mithun

.....Petitioner

Versus

State of Punjab

.....Respondent

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

Present: Mr. Vikas Bali, Advocate,
for the petitioner.

Mr. Rana Harjasdeep Singh, D.A.G., Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 438 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.155 dated 29.08.2018 under Sections 379-B, 34, 411 IPC, registered at Police Station Division No.3, District Police Commissionerate Ludhiana.

As per the FIR, which was registered on the statement of Rakesh Kumar, on 29.08.2018 when the complainant was coming towards Madhopur Gali No.1, Ludhiana, for purchasing the clothes, it was about 2.00 PM and three-four boys were standing in Gali No.1. Out of them, one boy pushed the complainant down from his scooter, whereas the other boys snatched the bag which contained Rs.25,000/- and one mobile phone of Jio company and also snatched a gold chain weighing 10 grams. approximately and thereafter, they ran away on their motorcycle towards the Madhopur side. Among the aforesaid accused, one boy ran away on his feet. The

complainant followed them with the help of other people present in the market at that time, but they did not come in their grip as they ran away.

Learned counsel for the petitioner has argued that the petitioner has been arrayed as an accused despite the fact that he was not present at the scene of occurrence. His marriage was solemnized on 25.08.2018, whereas Muklaw ceremony was performed on 29.08.2018 at Malerkotla, which is at a distance of 35 kms. from the place of occurrence.

Learned State Counsel on instructions from ASI Piara Lal has argued that co-accused Shatru has made a disclosure statement and has named the petitioner as an accused. It is during investigation, Shatru, Mandeep Singh, Rajiv Kumar and Raman Kumar were arrested. He further states that recovery of articles snatched by the petitioner are yet to be effected.

I have heard learned counsel for the parties.

It has been brought to the notice of this Court that the petitioner is involved in other cases also. In FIR No.135 dated 01.06.2018, though he is stated to be on bail but Shatru, co-accused has named the petitioner. The plea that four persons have already been arrested in this case, cannot be accepted. The case is under investigation and the petitioner has been specifically named by co-accused Shatru. The allegations against the petitioner are serious in nature. No ground to grant anticipatory bail is made out.

Dismissed.

October 22, 2018
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No