

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

**AT CHANDIGARH**

**Criminal Misc. No.M-46348 of 2018**

**Date of Decision: 13.12.2018**

Manpreet Singh @ Mani

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

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

Present:- Mr. Rahul Bhargava, Advocate  
for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

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**HARI PAL VERMA, J. (Oral)**

Prayer in the present petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of pre-arrest/anticipatory bail to the petitioner in case FIR No.103 dated 23.06.2018 under Section 379-B IPC registered at Police Station Jandiala, District Amritsar (Rural).

The aforesaid FIR was registered on the basis of complaint made by Kamaljit Singh, resident of Tathwal, Police Station Batala. As per the FIR, on 21.06.2018 at around 2-00 P.M., when the complainant along with his wife Sharanjit Kaur and son Mahipal Singh were coming back to Jandiala on his motorcycle and had reached near canal, he drove his motorcycle towards the village road and when they had hardly reached at some distance, he noticed that two young men having muffled faces, came

on a black colour Passion motorcycle, which was not having any number plate at the back. They were waylaid by these two young men. One of the young men sitting at the back took out a *datar* from his motorcycle and threatened the wife of the complainant by the tip of *datar* and asked her to remove her ear-rings. Due to fear, the wife of the complainant removed her ear-rings weighing 6 grams. The accused removed Rs.5,000/- from her purse. He also snatched his Samsung J2 mobile phone and Rs.600/- from his purse along with the keys of his motorcycle. Then both of them fled away from the spot towards Village Gunnowal. The complainant along with his wife pushed the motorcycle to a garage and got the motorcycle started. Since the relatives of the complainant reside at Village Jandiala, they tried to trace these two youngsters and came to know that these young men - accused were Bikramjit Singh @ Bikka son of Kewal Singh and Mani (petitioner) son of Gurinderpal Singh, residents of Gunewal.

Learned counsel for the petitioner has argued that the alleged incident took place on 21.06.2018 whereas the FIR was registered on 23.06.2018 after a delay of two days. The name of the petitioner – Mani was brought only at the instance of relatives of the complainant, who had some previous enmity with the petitioner and therefore, he has falsely been implicated in the present case.

On the other hand, learned State counsel has submitted that the co-accused Bikramjit Singh @ Bikka was arrested in the case on 24.06.2018 and at his instance, the ear rings of the wife of the complainant and *datar* have been recovered from him.

I have heard learned counsel for the parties.

As per the prosecution version, recovery of ear rings and *datar* have been effected from the co-accused and the recovery of mobile phone and amount of money is yet to made in the case. Nothing has been brought on record to substantiate the fact that there was any previous enmity between the petitioner and the relatives of the complainant. Considering the fact that the allegations levelled against the petitioner are serious in nature and his custodial interrogation is necessary for proper investigation of the case, no ground for anticipatory bail is made out.

Accordingly, the present petition is dismissed.

December 13, 2018  
**AK**

**( HARI PAL VERMA )**  
**JUDGE**

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No