

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-13479 of 2019  
DECIDED ON: 26.03.2019

SHYAM @ TIGER

..PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Deepak Kumar Gollen, Advocate,  
for the petitioner.

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RAMENDRA JAIN, J. (ORAL)

Prayer in the instant petition under Section 438 Cr.P.C. has been made for grant of anticipatory bail to the petitioner, in case, FIR No.100 dated 16.02.2019, registered under Sections 34, 379-A, 387, 458, 506 IPC and Section 25 of the Arms Act, 1959, Police Station Rohtak City, District Rohtak.

According to the prosecution, in the evening of 15.02.2019, when the complainant was closing his shop, three assailants entered his shop and at pistol point, snatched ₹34,000/- from his drawer, purse containing ₹9,000/-, two debit cards of HDFC and Axis Bank and Apple mobile phone.

Learned counsel contends that as per complainant, only three persons had committed the alleged robbery, whereas, according to prosecution, three accused namely Neetu, Joginder and Sumin have

already been arrested. During interrogation of the petitioner in another case bearing FIR No.74 dated 05.03.2019, under Section 25 of the Arms Act, 1959, the police has forcibly and illegally prepared an alleged confessional statement of the petitioner, which is hit by Section 27 of the Evidence Act. The petitioner is innocent. He has falsely been implicated in the instant case. No recovery is to be effected from the petitioner.

Considering the seriousness and nature of crime committed by the petitioner, this Court is not inclined to grant the concession of anticipatory bail, inasmuch as, he is required for custodial interrogation to recover the pistol, which he and his accomplice used in the commission of crime.

Dismissed.

**26.03.2019**

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**(RAMENDRA JAIN)  
JUDGE**

**Whether speaking/reasoned  
Whether reportable**

**Yes/No  
Yes/No**