

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

**CRM-M-18999-2019
Reserved on : 03.05.2019
Date of decision: 06.05.2019**

Manjit Singh @ Noni and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Fatehjeet Singh, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J.

The petitioners pray for grant of anticipatory bail in FIR No. 19 dated 24.04.2018, registered under Sections 379 and 411 of the IPC at Police Station Amir Khas, District Ferozepur.

Brief facts of the case are that on 24.04.2018, complainant Ram Chand made a statement to the police that one electric transformer of 100 KV is installed in his land and electric connections have been given to eight motors from the said transformer. On the intervening night of 23/24.04.2018, he found that bush of one side of the transformer was open and oil has spilled. He called his neighbour Raj @ Labh Chand and thereafter, they found that spilled oil was tracing towards R.K. Brick Kiln. On this, they inquired from Vicky Midda and Tarsem Singh, owner and account of the said Brick Kiln, respectively, and also found three drums of oil and pipes etc. lying in their garage. They called other persons of the village and they were told that Noni (petitioner No. 1) and his brother

Sudama (petitioner No. 2) along with Baggi and Pritam Singh had given them 100 liters of oil against cash payment.

Learned counsel for the petitioners has argued that the petitioners have falsely been implicated in the present case on the statement of Vicky Midda and Tarsem Singh as there was a money dispute between them and Vicky Midda.

Learned counsel for the petitioners further submitted that the recovery has already been effected as Vicky Midda was arrested and later on, he was granted concession of regular bail.

In reply, learned State counsel, on instructions from ASI Sukhdev Singh, has opposed the prayer of the petitioners on the ground that the petitioners are involved in two other FIRs of similar nature i.e. FIR No. 51 dated 03.11.2017, under Section 379 IPC and FIR No. 13.03.2018, under Section 379 IPC, both registered at Police Station Amir Khas, District Ferozepur.

Learned State counsel has further submitted that the petitioners, who are the real brothers, have specifically been named in the present FIR. It is further submitted that co-accused Vicky Midda was arrested, therefore, custodial interrogation of the petitioners is also required.

After hearing learned counsel for the parties, I find no ground to grant anticipatory bail to the petitioners considering the serious allegations levelled against them in the FIR.

As per allegations, the petitioners and other accused have stolen oil from the transformer, installed in the land of the complainant, and later on, they have sold the same to co-accused Vicky Midda, who was arrested.

Therefore, considering the fact that petitioners are already involved in two more FIRs of similar nature and are habitual offenders, no ground is made out to grant them concession of anticipatory bail

Accordingly, this petition is hereby dismissed.

06.05.2019

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No