

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

**Criminal Misc. No. M-19236 of 2019  
Date of Decision:-07.5.2019**

Sumit Kumar @ Manu

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present:- Mr. Bhupinder Gupta, Advocate  
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

**MANOJ BAJAJ J. (Oral)**

Petitioner Sumit Kumar @ Manu has filed the present petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.178 dated 29.10.2018, under Sections 379-B read with Section 34 IPC, registered at Police Station Basti Bawa Khel, Jalandhar.

The FIR was recorded on the statement of complainant Akhilesh s/o Jatoi. The contents of the FIR reads as under :-

*“...that I am a resident of aforesaid address and I work as a labour at Nivia Factory, Lather Complex, Jalandhar. Today, like my daily routine, after getting off from the factory, at around 8 PM along with my friend Vihoti son of Inderjit Singh, resident of said, were coming back to our house on cycle and when we reached*

*near SS Farm, Basti Peerdad we stopped there to pass urine. In the meantime, from behind, 3 unknown, youngsters came riding on a motorcycle. Who stopped their motorcycle near us and one young boy forcibly snatched Rs.3000/- from right back pocket of my trousers, second person snatched my Mobile branded Karbonn colour black cream in which my Sim 63958-34309 was working and from the back right side pocket of my friend Vihoti snatched Rs.600/- and ran away and when we raised hue and cry then many people from the locality gathered there. From them the names these youngsters were found as Deepak Kumar @ Bhindi s/o Tirath Ram r/o Basti Peerdad, Near SS Farm, Jalandhar; Sumit Kumar s/o Mela Ram, r/o Basti Peerdad Near SS Farm, Jalandhar and Amit @ Gupta s/o Vijay Kumar r/o Model House Jalandhar. To whom I can recognize on presented before me. I was coming to Police Station to give information that you met, Action shall be taken....”*

Learned counsel for the petitioner has contended that three unknown persons had taken away the mobile phone and wallet of the petitioner and his friend. According to him, it is not disclosed that as to how the complainant came to know about the identity of the petitioners. As per learned counsel, the case against the petitioner is false and he deserves the concession of anticipatory bail.

On the other hand, prayer for grant of relief is opposed by learned State counsel. It is contended that the name of the petitioner alongwith his accomplice is given in the FIR itself. It is further pointed out that co-accused Deepak already stands arrested by the police, who has been

identified by the victim as well.

Considering the allegations and nature of the offence, this Court is of the opinion that the petitioner does not deserves the extraordinary concession of pre-arrest bail as his custodial interrogation may be necessary.

Resultantly, the petition is dismissed.

May 07, 2019  
Vijay Asija

( MANOJ BAJAJ )  
JUDGE

Whether speaking/reasoned  
Whether Reportable

Yes / No  
Yes / No