

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-20336-2019 (O&M)
Date of Decision:-29.5.2019

Lovepreet Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ritesh Pandey, Advocate for the petitioner.

Ms. Rashmi Attri, Assistant Advocate General, Punjab
assisted by Head Constable Vijay Kumar.

GURVINDER SINGH GILL, J.(Oral)

The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.20 dated 19.4.2019 at Police Station Tibber, District Gurdaspur under Sections 379-B and 34 of Indian Penal Code, 1860.

The FIR was lodged at the instance of Lakhwinder Singh, wherein it has been alleged that on the day of occurrence i.e. on 6.4.2019 his mother, after having meals, was sitting outside the house and was doing household work. It is alleged that one motorcycle bearing registration No.PB-06-AD-2058 came there on which there were two occupants. While the complainant could recognize the pillion rider to be Jagpreet Singh @ Monu, the complainant did not know the person driving the motorcycle. It is alleged that the pillion rider came near his mother and snatched the gold ear

ring weighing about one tola and both the motorcycle borne riders fled away from the spot on their motorcycle.

The learned counsel for the petitioner has submitted that he was not identified by the complainant at the spot and it is only the pillion rider, who was identified, and that the petitioner is sought to be implicated falsely after about 13 days of the occurrence. It has further been submitted that the petitioner is being implicated on the basis of the alleged disclosure statement made by co-accused, which would not have any evidentiary value.

Opposing the petition, the learned State counsel has informed that the motorcycle in question was found to be registered in the name of grandfather of the petitioner and that in these circumstances his complicity in the commission of crime is evident. It has further been submitted that since the co-accused Jagpreet Singh @ Monu had also nominated the petitioner to be his co-accused, therefore, no case of grant of anticipatory bail is made out.

I have considered the aforesaid submissions. Bearing in mind the fact that the motorcycle allegedly used in the occurrence belongs to grandfather of the petitioner, the involvement of the petitioner is *prima facie* evident. In these circumstances, this Court does not find any special case for grant of anticipatory bail to petitioner. The petition is sans merit and is dismissed.

29.5.2019

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No