

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

CRM-M-34514-2019 (O&M)
Date of Decision:-3.9.2019

Gurjeet Singh @ Jeetu and another ... Petitioners

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sanjeev Kumar Arora, Advocate for the petitioners.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab.

GURVINDER SINGH GILL, J.

1. The petitioners have approached this Court seeking grant of anticipatory bail in a case registered against them vide FIR No.187 dated 31.7.2019 under Sections 379-B, 342, 354, 506 IPC and Sections 25/27 of Arms Act, 1959 at Police Station Sadar Fazilka, District Fazilka.
2. The FIR was registered at the instance of Vicky wherein it has been alleged that on 29.7.2019, he alongwith his fiancée Rajni was going to Dab Wali Malko on a motorcycle which he had borrowed from his relative and when they were about two kilometers away from his village, they passed by Gurjeet Singh, who was standing on the passage and who started following the complainant on his motorcycle and stopped them at a short distance and started arguing with the complainant. In the short while, Gurjeet Singh's relatives and companions namely Charanjit Singh @ Channa, Pargat Singh, Gurjit Singh, Surjit Singh and Nishan Singh also came there. It is alleged

that Charanjit Singh and Pargat Singh were armed with wooden handles and they all started misbehaving with him and his fiancée Rajni in an indecent manner. It is alleged that Charanjit Singh, Gurmit Singh and Surjit Singh started hugging Rajni and upon her resistance, her shirt got torn. When the complainant tried to stop them, they gave beating to the complainant. In the meantime, the complainant's friends namely Gurdeep Singh, Sukhjot Singh and Gurpreet Singh came there and tried to reason out with them but the accused became aggressive and started beating all of them. It is further alleged that the accused had dragged them on the road after tying a rope around them and Charanjit Singh forcibly took out an amount of Rs.1,500/- from the complainant's pocket and Charanjit Singh took out mobile phone from the complainant's front pocket. It is alleged that during the said scuffle Rajni managed to escape and thereafter 3 of them were taken to house of Charanjit Singh where also they gave beatings to them. It is also alleged that Charanjit Singh was carrying a revolver as well and demanded a sum of Rs. 5 lakhs for their release and for which Charanjit Singh made the complainant call at his home asking them to send an amount of Rs.5 lacs. It is further alleged therein that the accused later themselves called the police at the spot and handed over the complainant and others to the police officials while alleging that it is the complainant and his friends who were kidnappers. Later, the complainant and others were got released from the police station by the relatives and panchayat. The complainant, thereafter, searched for his fiancée Rajni and after tracing her he alongwith Rajni and his father Joginder Singh went to the police station and got the FIR lodged.

3. The learned counsel for the petitioners has submitted that he has falsely been implicated in the present case and infact it is the complainant and others who are the offenders who comprised a gang of child lifters and that the accused had handed them over to the police but the complainant while exercising his influence had turned tables on the accused and got them falsely implicated.
4. Opposing the petition, the learned State counsel has submitted that infact it is the petitioners who are criminals and were involved in other cases as well. It has been submitted that infact petitioner No. 2 had been arrested in the present case but he escaped from custody regarding which another FIR i.e. FIR No. 111 dated 2.8.2019 under Sections 253, 186, 332, 223 and 224 IPC at Police Station City Fazilka, District Fazilka was lodged. It has, thus, been submitted that keeping in view the nature of the allegations and antecedents and conduct of the petitioners, they do not deserve the concession of anticipatory bail.
5. I have considered rival submissions addressed before this Court. Apart from the allegations which are serious in nature which include molestation of a young girl, the conduct of the accused especially of petitioner No. 2, who has escaped from police custody do not make out any special case for grant of anticipatory bail. The petition is sans merit and is hereby dismissed.

3.9.2019

kamal

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No