

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

**Crl. Misc. No.M-45153 of 2019 (O&M)
Date of Decision: November 21, 2019**

Gurpreet Singh

.....PETITIONER(s).

VERSUS

State of Punjab

...RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Ranbir Singh Sekhon, Advocate
for the petitioner (s).

Mr. Amitoj Singh Dhaliwal, DAG, Punjab.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.130 dated 17.07.2019 registered for the offence punishable under Section 379-B of Indian Penal Code, at Police Station Dharamkot, District Moga.

Heard.

Learned counsel for the petitioner submits that petitioner has been nominated on the statement of co-accused and has been falsely implicated in this case. As per prosecution case, Sukhchain Singh confessed before the inquiry officer that snatching of cash from Manager Shiv Kumar was at his instance. Petitioner is ready to join the investigation and co-operate with the police.

Learned State counsel submits that petitioner is the main accused. Three accused arrested in this case namely Sukhchain Singh, Avtar Singh and Dharampal, have made statements that they had planned the snatching of cash from the Manager of the company at the behest of petitioner, who was pillion rider on the motorcycle, which followed Shiv Kumar and Sukhchain Singh and had put chilli powder in the eyes of Shiv Kumar while snatching the bag. Custodial interrogation of the petitioner is required to effect the recovery of cash. One other co-accused involved in this case namely Micheal is absconding and proclamation proceedings have been initiated against him.

As per case of prosecution, complainant along with Sukhchain Singh was going on motorcycle bearing No.PB-29P-2943 driven by Sukhchain Singh with cash of ₹7,10,700/-, when on the way, they were stopped by two persons, who were muffled face and the bag was snatched after putting chilli powder in the eyes of complainant. Later on during investigation, it transpired that entire conspiracy was hatched by Sukhchain Singh employee of the company with other accused including the petitioner.

At this stage, police has to investigate the matter on the basis of statement of co-accused to crack the case. The clue regarding involvement of petitioner has come forth and his custodial interrogation will help in proper investigation of the case.

Keeping in view the above facts and circumstance, I do not find any reason to exercise the discretionary power of this Court to extend the benefit of anticipatory bail to the petitioner.

This petition has no merits. Dismissed.

November 21, 2019
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*