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

CRM-M-47332-2019

Date of Decision: 13.11.2019

Deepak Kumar

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Amandeep Singh, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

...

Manoj Bajaj, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.103 dated 21.07.2019, registered under Sections 458 and 394 IPC, 1860, at Police Station Shimlapuri, District Ludhiana.

The FIR in the present case was registered on the basis of statement made by complainant Amarjit Singh, wherein he stated that when he was performing his duty in the godown of Amazon company near ITI College, Gill Road, Ludhiana then at about 2 a.m., some clean shaven persons with muffled faces entered the godown, which was locked by him along with Amit and Hardeep Singh. Out of them, 3-4 persons were armed with daat and kirch. They caught hold of him from his face and other person attacked with daat on his head, as a result, he fell down. Thereafter, they tied him with chair and other persons forcibly entered the godown and committed robbery.

Learned counsel for the petitioner contends that the petitioner

was not named in the FIR and the alleged crime was committed by unknown persons. He submits that the petitioner has been indicted on the strength of disclosure statements suffered by co-accused and as per that, he allegedly caused daat blow on the head of complainant Amarjit Singh.

The prayer is opposed by learned State counsel, who is assisted by ASI Jatinder. It is contended that the police apprehended accused persons, namely, Bittu Kumar, Hampreet Singh and Lavparjapat. He submits that during the investigation, the name of the petitioner was disclosed by these persons. He further submits that recovery of Rs.4,37,000/-, 4 laptops, 3 DVR/cameras and 6 phones was effected from the above said accused persons.

After hearing the learned counsel for the parties this Court is of the opinion that the allegations in the FIR are serious and, therefore, this is not a fit case to extend the extra ordinary concession of pre arrest bail to the petitioner as his custodial investigation may be necessary to unravel the truth.

The petition is dismissed.

13.11.2019
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No