

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

**CRM-M No.52207 of 2019
Decided on: 13.12.2019**

Rakesh Kumar

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Mohit Nehra, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioners in FIR No.521 dated 07.11.2019, registered under Sections 392, 34 of the Indian Penal Code, 1860 (in short 'IPC') and 25 of the Arms Act at Police Station Tosham, District Bhiwani.

Counsel for the petitioner has argued that as per the allegations in the FIR, registered at the instance of the Branch Manager, on 07.11.2019, when he came out of the Branch, 02 persons armed with weapon entered the Bank. One person was carrying a pistol and the other was carrying a knife in his hand and they were having covered faces and they asked the staff members and the customers to put their hands up and thereafter, they looted the bank and escape with Rs.3.91 lacs. During the investigation, the CCTV footage was taken into consideration and 03 persons were arrested and on their disclosure, one 9 mm pistol and live cartridges were recovered from one of the accused.

Counsel for the petitioner has further argued that on

account of some party faction, the petitioner has been named in the disclosure statement.

In reply, counsel for the State, on instructions from ASI Gauri Shankar has argued that, in fact, at the instance of the petitioner, the entire incident of committing the dacoity was planned and executed by the other accused, therefore, the active involvement of the petitioner is there and thus, his custodial investigation is required.

After hearing the counsel for the parties and considering the serious allegations against the petitioner, I find no ground to grant the concession of anticipatory bail to the petitioner.

Dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

13.12.2019
yakub

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No