

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

CRM-M-1258-2020 (O&M)

Date of decision: 06.02.2020

Amritpal Singh @ Amitpal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. Sarju Puri, Advocate for the petitioner.

Ms. Amarjit Kaur Khurana, DAG, Punjab.

H.S. MADAAN, J. (Oral)

This petition for pre-arrest bail has been filed by petitioner Amritpal Singh @ Amitpal Singh, aged about 24 years, an accused in FIR No.164 dated 13.12.2019, for offence under Section 379-B IPC, registered with Police Station Rahon, District SBS Nagar.

Briefly stated facts of the case are that on 09.12.2019 at about 3.00 PM, complainant Mrs. Jasbir Kaur wife of Harjit Singh, resident Mohalla Jagotian, PS Rahon, was returning home from Main Bazaar after making purchases; when she had reached near Ambdeshwar Temple, then two young persons came from behind on black colour motorcycle and snatched ear ring from her right ear; out of the two riders, one was a clean shaven person, whereas other was a turbaned man. After the incident, both of them fled towards the Main

Bazaar on the motorcycle. Formal FIR was recorded on the basis of her statement.

Apprehending his arrest in this case, petitioner/accused Amritpal Singh @ Amitpal Singh had approached the Court of Sessions at SBS Nagar, seeking pre-arrest bail. Such bail application was dismissed by learned Addl. Sessions Judge, SBS Nagar, vide order dated 03.01.2020. Therefore, he has approached this Court, craving for grant of similar relief, which request is being opposed by the State counsel.

I have heard learned counsel for the parties besides going through the record.

Though in the FIR, the accused is not named but then in CCTV footage, the present petitioner along with the other culprit are stated to be clearly visible, thus, strongly pointing out towards the identity of the culprits. The recovery of ear ring is also to be effected. The motorcycle used in the incident is also stated to be belonging to the petitioner. Custodial interrogation of the petitioner is necessary for complete and effective investigation. In case, the same is denied to the investigating agency that shall leave many glaring loopholes and gaps, adversely affecting the investigation, which is uncalled for. Concession of pre-arrest bail is meant to be given to the innocent persons in order to save them from unnecessary harassment and inconvenience and not to shield the criminals from being put to interrogation by the police agency. The act and conduct of the accused

is also to be taken into consideration while considering his entitlement to grant/refusal of pre-arrest bail. Keeping in view the facts and circumstances of the case, no case for pre-arrest bail is made out. The petition is found to be without merit and is dismissed accordingly.

06.02.2020

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No