

CRM-M-6286-2020

DECIDED ON: JUNE 26, 2020

HIRA SINGH @ GIANI

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

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

Mr. Pawan Sharda, DAG, Punjab.

AVNEESH JHINGAN, J (ORAL)

The matter has been taken up for hearing through video conferencing due to COVID-19 situation.

The petitioner has approached this Court being aggrieved of order dated 27th January, 2020 passed by Additional Sessions Judge, Ludhiana dismissing the petition for the grant of anticipatory bail in FIR No. 18 dated 15.01.2020, under Sections 379-B IPC read with Section 34 IPC, registered at Police Station Division No.3, District Police Commissionerate, Ludhiana.

The complainant was Sham Bihari son of Banke Lal. Allegation was that on 14th January, 2020 on reaching Ludhiana Railway Station, he boarded a three wheeler in which two persons were already sitting. On the way the driver of the three wheeler stopped the vehicle and all the three persons forcibly snatched an amount of ₹16,000/- from him.

Learned counsel for the petitioner submits that the learned Additional Sessions Judge has wrongly rejected the petition for the

petitioner, whereas there is no case pending against him. He further submits that challan has been presented and no recovery is to be made.

Learned State counsel submits that the name of the petitioner has been specifically mentioned in the FIR and during investigation it has surfaced that accused had repeatedly indulged in such incidents. He opposes the anticipatory bail on the ground that recovery of ₹16,000/- is yet to be made and custodial interrogation of the petitioner is required.

Even though the learned Additional Sessions Judge had rejected the petition seeking anticipatory bail on the ground that petitioner is involved in other FIR. The fact is not verified by the learned State counsel, yet no case is made out for extending the benefit of pre-arrest bail to the petitioner, as the recovery of amount is yet to be made.

The petition is dismissed.

JUNE 26, 2020
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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>