

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-9237-2020

Date of Decision: 02.03.2020

Rooplal

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. LC Aggarwal, Advocate for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Through this second petition under Section 438 Cr.P.C., prayer has been made for grant of anticipatory bail to the petitioner, in case FIR No. 200 dated 07.11.2018 registered under Section 379B read with Section 34 IPC at Police Station Division No. 4, District Jalandhar.

According to the prosecution, in the intervening night of 06.11.2018 and 07.11.2018, the complainant and his son were robbed for their purse, containing ATM Card, cash amount of ₹15,000/- and ₹3000/- respectively, i-phone of his son and ₹2,00,000/- lying in Swift Car bearing registration No. PB-36-F-9748, on pistol point by some unknown assailants, some of whom were armed with deadly weapon like *datars*.

Learned counsel *inter alia* contends that petitioner has falsely been implicated in the instant case. He is not named in the FIR. Co-accused of the petitioner have been enlarged on bail. Recovery, if any, of the robbed articles has already been effected from the co-accused. Therefore, the petitioner is not required for custodial interrogation. The

car which was allegedly used in the commission of crime is not recovered by the police, rather, some other model has been recovered, which proves falsity of prosecution story.

Considering the seriousness of allegations and particularly the fact that there is alarming increase in offence under Section 379B IPC, this Court finds that petitioner does not deserve the concession of anticipatory bail.

Dismissed.

March 02, 2020
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(RAMENDRA JAIN)
JUDGE

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