

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

**CRM-M-10465 of 2020
Date of Decision:-28.09.2020**

Bikramjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Balraj Singh Sidhu, Advocate
for the petitioner.

JASGURPREET SINGH PURI J.(Oral)

The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.121, dated 02.12.2019, under Section 379-B IPC, registered at Police Station GRP, District Bathinda.

As per FIR, one Nirmal Kumar gave a complaint to the police that he was on duty of Gateman at Gate No.C-130 on 01.12.2019 to 02.12.2019 and when he was taking meal then one unknown person whose face was covered by muffler and wearing blue colour jeans pant and brown jacket talked to him and inquired about timing of train. In the meanwhile second Gateman namely Sunil Yadav came there on his gate. Thereafter the unknown person took out *kirch* (knife) and turned to steps back in fear and forcibly snatched four notes of Rs.200/- total Rs.800/- from backside pocket

of pain and ran away from spot in dark on his motor-cycle. Learned counsel for the petitioner has submitted that the petitioner has not been named in the FIR and secondly the amount, which has allegedly been snatched is also very meagre. He has further submitted that his name was cropped up on the basis of statement made by the complainant during investigation and therefore he may be considered for grant of anticipatory bail.

On the other hand, Mr. P.S. Walia, learned Assistant Advocate General, Punjab has submitted that although the amount involved in the FIR is meagre but considering the number of FIRs which are against the petitioner and the relevant factors mentioned in the status report, the petitioner does not deserve the concession of anticipatory bail. He has referred to the status report, which has been filed by the police, in which it has been stated that on 15.2.2020 the complainant Nirmal Kumar got recorded his supplementary statement under Section 161 Cr.P.C. stating that the person who snatched Rs.800/- from him on 01.12.2019 has been seen by eye witness Sunil Yadav Gateman while he was crossing the gate. Sunil Yadav also ascertained the name and address of accused at his own level as petitioner who had snatched the money. It is also stated in the status report that the complainant also stated that Jasbir Kaur and two other persons came to him at gate and tole them that Kali (petitioner) who committed this mistake under the influence of intoxication and requested him to excuse him on their request and stated that the petitioner will not commit mistake in future. The status report also reveals that there are total six FIRs which are against the petitioner and which have been detailed in para 6 of the

status report. A perusal of the same shows that most of the FIRs are pertaining to theft cases. Learned State counsel further argued that the petitioner does not deserve the concession of bail in view of the fact that he is a habitual offender as he is also facing number of FIRs earlier also, therefore, prayed for dismissal of the bail application.

I have heard learned counsel for the parties through video conferencing.

In the present case although the money involved in the FIR is meager but as per prosecution, the petitioner has been identified by eye witness, namely, Sunil Yadav, whose name also find mentioned in the FIR itself. As per status report some other persons have also approached the police by saying that although the petitioner committed this mistake but he will not do again in future. Furthermore petitioner is involved in six more FIRs, therefore, in view of the above I do not find it a fit case for grant of concession of anticipatory bail to the petitioner.

Consequently, the present petition is dismissed.

September 28, 2020
Vijay Asija

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No