

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.209

CRM-M-10535-2020

Date of decision: 14.12.2020

Ranjit Singh

....Petitioner

versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Ritesh Pandey, Advocate
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

Case taken up through video conferencing.

Briefly stated, the case of the prosecution is that secret information was received by the police that Gian Singh and Shamsher Singh were taking photographs of cantonment areas, movement/locations of the Indian Army and sending the same to intelligence agencies of Pakistan. Acting on such information Gian Singh and Shamsher Singh were arrested and interrogation of Shamsher Singh revealed that the petitioner was also involved in the crime. Consequently, the petitioner was nominated as an accused.

Apprehending his arrest, the petitioner sought anticipatory bail though a petition filed by him under Section 438 Cr.P.C. before the Sessions Court at Gurdaspur on the dismissal of which he knocked the doors of this Court for the same relief through CRM-M-21797-2018 – Ranjit Singh vs. State of Punjab, which petition was dismissed on 02.07.2018 through the following order:-

“Petitioner-Ranjit Singh has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.10 dated 24.01.2018, registered at Police Station Dera Baba Nanak, under Sections 3, 4, 5 and 9 of Official Secrets Act, 1923 and 120-B of the Indian Penal Code.

I have heard learned counsel for the petitioner and have gone through the record.

From the record, I find that FIR has been registered on the basis of secret information against co-accused Gian Singh @ Gianbir @ Deol and Shamsher Singh @ Sheera. The present petitioner has been nominated at the disclosure of co-accused Shamser Singh @ Sheera. The allegations in the FIR are that the accused have links with ISI Agency of Pakistan, they have taken the photographs of Cantt. Area and movement, locations of army etc. have been sent to the agents of ISI.

Keeping in view the facts and circumstances of the present case, nature and gravity of the offence and in view of the fact that the present petitioner is required for custodial interrogation, I do not find it a fit case where the petitioner is entitled to the benefit of anticipatory bail.

Therefore, finding no merit in the present petition, the same is dismissed.”

After rejection of his plea for anticipatory bail the petitioner absconded and therefore through order dated 26.07.2018 passed by the Judicial Magistrate, Ist Class, Batala, he was declared as a proclaimed person.

Without disclosing the fact that the petitioner has been declared a proclaimed person, the present petition has been filed by the petitioner seeking the same relief which had been denied to him by this Court through

afore-quoted order dated 02.07.2018.

In view of serious allegations against the petitioner with regard to sharing of sensitive information pertaining to the Indian Army with intelligence agencies of Pakistan and because the petitioner has been declared a proclaimed person as also for the reason that there is no change in circumstance after the dismissal of his earlier petition, no merit is found in the instant petition.

Dismissed.

(DEEPAK SIBAL)
JUDGE

December 14, 2020

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