

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-17007-2020

Date of decision: 08.07.2020

Akshay Kumar @ Cheeka

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Mikhail Kad, Advocate for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Case has been taken up for hearing through video conferencing.

Through this petition under Section 438 Cr.P.C., prayer has been made for grant of anticipatory bail to the petitioner in case FIR No. 166 dated 02.05.2020 registered under Sections 380, 382, 384, 379-B, 506 and 120-B IPC and Section 25 of the Arms Act at Police Station City Sangrur, District Sangrur.

According to prosecution, in evening of 01.05.2020, complainant-Sahil Walia @ Ginny, on the persistent request of co-accused, namely; Ravinder Kaur @ Ruby, went to his chemist shop to give her medicine, despite declaration of curfew. When he was in the process of giving her medicines, two unknown persons with muffled faces entered in the shop of complainant and one remained outside. Levelling allegations on the complainant of committing some wrong act with co-accused-Ravinder

Kaur @ Ruby, they raised illegal demand of ₹1,00,000/- by pointing a revolver upon the neck of complainant, otherwise to shoot him. The entire episode was being recorded in DVR installed in the shop. They also took out ₹50,000/- from the drawer of the counter. However, the amount fell down in the shop.

Learned counsel *inter alia* contends that petitioner has falsely been implicated in the instant case. FIR has been lodged belatedly after one day of the occurrence, though, the police station was very near from the place of occurrence. Complainant was having some objectionable material of co-accused-Ravinder Kaur @ Ruby. For this reason, he has falsely been implicated her and the petitioner in the instant case.

Having given thoughtful consideration to the submissions of learned counsel for the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner, inasmuch as, the story put forth by learned counsel for the petitioner does not appeal to reason by any stretch of imagination. Recovery of revolver which was pointed on the neck of complainant has also to be effected from the assailants. Thus, custodial interrogation of the petitioner is very much necessary.

Dismissed.

July 08, 2020

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No