

S.No.116

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

CRM-M-18307 of 2020 (O&M)

Date of Decision:13.07.2020

**Prabsimranjit Singh @ Sima
Vs.**

.....Petitioner

State of Punjab

.....Respondent

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IN VIRTUAL COURT
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CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Surmeet S. Sandhu, Advocate for the petitioner.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No.10 dated 01.02.2020 registered under Sections 379-B, 506, 120-B, 148, 149 IPC at Police Station Lohian, Jalandhar Rural.

It is contended by counsel for the petitioner that the name of the petitioner has wrongly been dragged in the case. The petitioner is not named in the FIR. The name of the petitioner has been sought to be involved on the alleged disclosure statement of some other co-accused. Still further, it is submitted that there is delay of about 13 days in lodging the FIR. It is further submitted that another case was also fabricated by the Police against the petitioner. However, in that case, the petitioner was granted anticipatory bail. Now the Police intend to involve the petitioner in crime at any cost. Hence, in the present case, his name has been dragged.

Notice of motion.

Mr. Randhir Singh Thind, DAG, Punjab, accepts notice on behalf of the State.

Learned State Counsel, on instructions from ASI Lakhvir Singh, has submitted that the name of the petitioner has specifically surfaced during the investigation. He has taken a part of the snatched money as well as one mobile phone, which are yet to be recovered. Hence, the petitioner does not deserve any concession of bail. However, it is not disputed that the complainant had reached the Police after 12 days of the incident and that the name of the petitioner was not even mentioned by the complainant.

In view of the above submissions, however, without commenting upon merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail. Therefore, it is directed that in case of his arrest, the petitioner shall be released on bail subject to his furnishing bail bonds/ surety bonds to the satisfaction of Arresting/ Investigating Officer. However, it is further directed that the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

July 13, 2020
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No