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

CRM-M-18589 of 2020

Date of decision: October 01, 2020

Sukhjant Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Dr. Payel Mehta, Advocate for the petitioner.

Mr. M.S. Nagra, AAG Punjab.

MAHABIR SINGH SINDHU, J

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of anticipatory bail to the petitioner, in FIR No.196 dated 09.06.2020, under Sections 379-B, 341, 506 of Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Sohana, District SAS Nagar.

As per prosecution case, petitioner along with his four co-accused gave beatings to the complainant and snatched an amount of ₹35,000/- from him.

Contentends that petitioner has been falsely implicated in this case and nothing is to be recovered from him; moreover, four co-accused have already been released on bail. Also contends that as per the affidavit of the prosecution itself, an iron punch, an iron rod and two mobile phones used in the commission of crime have already been recovered by the police during investigation. It is also the contention that there is no other criminal case pending against the petitioner.

On the other hand, learned State counsel, on instructions from

police official, opposed the prayer and submitted that looted amount of ₹35,000/- is yet to be recovered in this case, thus custodial interrogation of the petitioner would be required. Also submitted that as per the disclosure made by the co-accused, namely Harjant Singh, the amount of ₹35,000/- was retained by the petitioner.

Heard both sides and perused the paper-book.

Concededly all the four co-accused have already been granted bail pending trial, but none of them was granted the concession of pre-arrest bail. In the present case, alleged looted amount of ₹35,000/- is yet to be recovered and as per disclosure of co-accused-Harjant Singh, said amount was retained by the petitioner. Although, the same is refuted by the learned counsel for the petitioner, but for that purpose custodial interrogation of the petitioner would be very much necessary.

In view of the above, no ground for grant of pre-arrest bail to the petitioner is made out.

Dismissed.

The above observations may not be construed as an expression of opinion on the merits of the case.

(MAHABIR SINGH SINDHU)
JUDGE

October 01, 2020

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No