

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

**CRM-M- No. 20775 of 2020 (O&M)
Date of decision : August 13, 2020**

Shamsher Singh

....Petitioner

versus

State of Punjab

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

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

Mr. Jagmohan Ghuman, DAG Punjab for the State

Fateh Deep Singh, J. (Oral)

The matter has been taken up through Video-conferencing on account of outbreak of pandemic COVID-19.

The allegations against the petitioner in this first anticipatory bail application under Section 438 Cr.P.C. filed in case FIR No. 76 dated 25.6.2020, under Sections 379-B, 34 IPC and 25 of Arms Act, 1959, Police Station Sekhwan, District Gurdaspur has come up by complainant Rajbir Kaur, a Professor in a private College.

The complainant alleges that on 25.6.2020 while she

was coming on her Moped and on the way two motorcycle borne persons waylaid her who had their faces muffled and under the threat of a fire arm robbed her of three gold rings and one gold chain. In her supplementary statement, the complainant had identified petitioner Shamsheer Singh and his co-accused non-applicant.

Mr. Ritesh Pandey, counsel for the petitioner inter-alia contends that it is the own story of the complainant that the accused had their faces muffled and has heavily relied on the affidavit of the complainant Annexure P/2 to derive home the point that the petitioner was not involved in this crime.

Learned State counsel concedes that the complainant had sworn this affidavit Annexure P/2 but has sought to reiterate the supplementary statement of the complainant recorded on the next day regarding the identification of the assailants arguing that in view of the heinousness of the offence, the petitioner is not entitled to the concession of anticipatory bail.

The allegations on the face of it are quite dreadful when at a desolate place a woman has been robbed of her valuables at gun point. The plea of the petitioner's side that the complainant had given an affidavit in his support rather strengthens the belief of the

Court that all is not well with the accused who are trying to stifle the investigations. In view of the seriousness of the offence, his custodial interrogation is very much essential. Finding no merit, the present petition stands dismissed.

August 13, 2020
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(Fateh Deep Singh)
Judge

<i>Whether speaking/reasoned ?</i>	<i>Yes/No</i>
<i>Whether Reportable ?</i>	<i>Yes/No</i>