

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

Crl. Misc. M-24660 of 2020
Date of decision: 27.08.2020

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Jagwinder Singh @ Jyoti

....Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. Kuldeep Singh Saini, Advocate,
for the petitioners.

(Proceedings are conducted through video
conferencing as per instructions).

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks anticipatory bail in a petition filed under Section 438 Cr.P.C. in FIR No. 66 dated 24.07.2020 under Sections 379-B, 34 IPC, P.S. City Kurali, District SAS Nagar, Mohali.

Counsel for the petitioner submits that the petitioner has clean antecedents and has only been involved on account of the fact that the co-accused as such had spent a night at his tubewell and, therefore, has been implicated in the FIR.

Notice of motion.

Mr. Hitten Nehra, Addl. A.G., Punjab accepts notice on behalf of the State and has stated that some portion of the snatched chain as such is yet to be recovered and, therefore, investigation is not complete. He has supported the order dated 20.08.2020 passed by the Additional Sessions Judge, SAS Nagar, Mohali (Annexure P-3) whereby, the application of the petitioner has been dismissed.

A perusal of the FIR, which was lodged by Neena Singla, the complainant would go on to show that three boys tried to snatch her gold

chain. It has specifically been mentioned that there were three boys on the motor cycle when the chain was being snatched. The complainant and her son had caught one of the boys. The name of the petitioner figured at that point of time alongwith the name of the other co-accused from the person apprehended. The person who was caught at the spot namely Gurinder Singh @ Preet thereafter escaped from the spot leaving behind a mobile phone and a motor cycle.

The FIR was apparently lodged immediately after the incident, in which the petitioner has been specifically named. The story which has now been put forward by counsel for the petitioner, thus, has no legs to stand on as it is not a case of a disclosure statement made at a subsequent point of time. Three persons have specifically been mentioned in the FIR and the co-accused having named the petitioner, this Court is of the opinion that it is not the case for grant of anticipatory bail. Such kind of incidents are on the rise and persons on the road are not safe on account of the dare devil acts of such accused who are involved in snatching which has led to the incorporation of Section 379-B IPC and the punishment imposed is not to be less than 5 years which may extend to 10 years.

Accordingly, this Court is of the opinion that it is not a fit case for grant of anticipatory bail and the same is accordingly dismissed.

Needless to say that anything said herein is only for the purpose of deciding the present bail application and this Court has not opined on the merits of the case.

27.08.2020
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No