

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

CRM-M-25147-2020 (O&M)

Date of decision: 02.12.2020

Sukhjinder Singh @ Baba

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. L.S. Sidhu, Advocate for the petitioner.

Mr. Amit Mehta, Sr. DAG, Punjab.

H.S. MADAAN, J. (Oral)

Case taken up through video conferencing.

This petition for pre-arrest bail has been filed by petitioner Sukhjinder Singh @ Baba, an accused in FIR No.90 dated 19.07.2020, for offences under Sections 341, 323, 379 and 34 IPC, registered at Police Station Sadar Faridkot, District Faridkot.

Briefly stated facts of the case as per prosecution version are that, on 18.07.2020, complainant Baltej Singh running a pesticide business, had collected an amount of Rs.2 lacs from Gurdev Singh and went to his office at Village Pakhi Kalan, where Rajwinder Singh @ Bagga and Sukhjinder Singh @ Baba (present petitioner) of his village also came there and started consuming liquor. At about 9.00 PM, both of them went away on their motorcycle. After 10-15 minutes, the

complainant closed his office and proceeded towards his Village Hardialeana on his motorcycle. At about 9.30 PM, when he had reached at bus stand of his village, then Rajwinder Singh @ Bagga and Sukhjinder Singh @ Baba armed with cricket bats intercepted him, gave him beatings, causing injuries on his back and took out Rs.2 lacs from the pocket of pant, which the complainant was wearing at that time. The complainant got himself medically examined and reported the matter to the police. Thereafter, the FIR in question was registered.

Apprehending his arrest in this case, petitioner/accused had approached the Court of Sessions at Faridkot, seeking pre-arrest bail. His such application was assigned to Addl. Sessions Judge, Fazilka, who vide order dated 07.08.2020, dismissed the same. Feeling aggrieved, the petitioner has knocked at the door of this Court, praying for grant of similar relief, which request is being opposed by the State counsel.

I have heard learned counsel for the parties besides going through the record.

The petitioner is specifically named in the FIR and there are clear and specific allegations that he along with his co-accused Rajwinder Singh @ Bagga had intercepted the complainant, gave beatings to him and snatched Rs.2 lacs from the complainant. Though, in these proceedings, the petitioner was granted interim bail with a direction to join the investigation and he has since done so but as stated by the State counsel, he has not cooperated with the investigating agency and had not got recovered the snatched amount of Rs.2 lacs. Therefore, custodial interrogation of the petitioner is found to be necessary for complete and

effective investigation, so as to find out as to how the incident was planned and executed and so also to effect the recovery of snatched amount of Rs.2 lacs. In case, the custodial interrogation is denied to the investigating agency that shall leave many gaps and loopholes, adversely affecting the investigation, which is uncalled for. Thus, keeping in view the totality of circumstances, no ground for grant of pre-arrest bail to the petitioner is made out. The petition so moved by him in that regard stands dismissed accordingly.

02.12.2020

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No