

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 205

CRM-M-28981-2020

Date of decision : 05.10.2020

Sandeep Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.A.S.Manaise, Advocate, for the petitioner.

Mr.S.P.S.Tinna, Addl.A.G., Punjab.

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DEEPAK SIBAL, J. (ORAL)

Case taken up through video conferencing.

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.147 dated 29.07.2020, registered under Sections 392, 397, 506, 34 IPC and Sections 25/27 of the Arms Act, 1959 at Police Station Kalanaur, District Gurdaspur.

The case of the prosecution is that on 29.07.2020 at about 11:30 am two persons with muffled faces and masks as also with goggles entered Cooperative Bank, Rudiana. After exchanging pleasantries with the cashier they pulled out a pistol and after threatening him snatched his mobile phone and robbed the Bank of an amount over Rs.5.35 lakhs. Thereafter they went outside the bank where another person was waiting for them on a motorcycle and fled. During the course of investigation co-accused Sukhwinder Singh was arrested from whom recoveries were made. Interrogation of Sukhwinder Singh further revealed that Harwinder Singh and the petitioner were also involved in the crime and it was the petitioner who was waiting outside the bank and helped Sukhwinder Singh and Harwinder Singh to

escape from the crime scene on a motorcycle.

Learned counsel for the petitioner submitted that the petitioner has been nominated as an accused only on the disclosure statement of his co-accused which has no evidentiary value especially when no recoveries have been effected from him.

Learned State counsel opposes the grant of bail to the petitioner on the ground that the petitioner has committed armed dacoity and that too while he was on bail in another criminal case registered against him being FIR No.153 dated 16.07.2019 under Sections 18/61/85 of the NDPS Act registered at Police Station Goraya.

The allegations against the petitioner are that he alongwith his co-accused committed armed dacoity and that too while he was on bail in another case registered against him under the Narcotic Drugs and Psychotropic Substances Act, 1985.

The above serious allegations against the petitioner require his custodial interrogation especially when he is alleged to have misused the concession of bail granted to him in an earlier FIR registered against him.

Dismissed.

05.10.2020  
shamsher

[ DEEPAK SIBAL ]  
JUDGE

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|---------------------------|---|----------|
| Whether speaking/reasoned | : | Yes / No |
| Whether reportable        | : | Yes / No |