

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

CRM-M-36431-2020
Date of Decision: 06.11.2020

VICKY SONY BHAGAT @ ANMOL SINGH

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: Hon'ble Mr.Justice Deepak Sibal

Present: Mr.Paras Jhamb, Advocate for the petitioner
Mr.Gaurav Garg Dhuriwala, Sr.DAG Punjab

Deepak Sibal, J. (Oral)

Case taken up through Video Conferencing.

The present petition is the second one through which the petitioner seeks anticipatory bail in FIR No.150 dated 10.09.2020 registered under Sections 458, 323, 509, 506, 34 IPC and Sections 25 and 27 of the Arms Act, 1959 at Police Station City-I, District Mansa. The first petition filed by the petitioner along with co-accused – Jagdeep Singh being CRM-M-29741-2020 was dismissed as withdrawn on 13.10.2020.

The case of the prosecution is that on 09.09.2020 at about 9.00 PM the petitioner along with Gullu Maan entered the complainant's house and after abusing the complainant's father asked him to call the complainant's elder brother Harpreet Singh. While abusing the complainant's wife Gullu Maan then said that the parents of the girl with whom Harpreet Singh had a love marriage were offering crores of rupees to kill Harpreet Singh. Then Gullu

Maan took out a pistol and threatened to kill the complainant and his mother. When the complainant's father came forward to save the complainant he was also manhandled and threatened.

Learned counsel for the petitioner submitted that the petitioner had been falsely implicated in the case; no role is attributed to him and in case the petitioner is not granted anticipatory bail the police shall extract a confession out of him.

The petitioner along with co-accused Jagdeep @ Guloo Maan had earlier approached this Court for the grant of anticipatory bail through CRM-M-29741-2020 which was dismissed on 13.10.2020 through the following order:-

“Case taken up through Video Conferencing.

The arguments raised on behalf of the petitioners having not received a favourable response from the Bench and not to invite a decision on merits lest it may prejudice the case of the petitioners, learned counsel for the petitioners seeks to withdraw the present petition.

Permitted to do so.

Dismissed as withdrawn.”

A perusal of the afore quoted order clearly reveals that the petitioner's petition for anticipatory bail was argued before this Court but there being no favourable response from the Bench learned counsel for the petitioner had sought and got permission to withdraw the petition for the reason that a decision on merits may prejudice the petitioner's case. No change in circumstance after 13.10.2020 has been brought to the notice of this Court except a formal representation made by the wife of the petitioner to the police

claiming therein the petitioner's innocence.

The allegations against the petitioner are serious. After dismissal of the petitioner's earlier petition filed by him for the same relief there is virtually no change in circumstances. Admittedly, the petitioner is involved in a case under the NDPS Act and another case of armed dacoity and while misusing the concession of bail granted to him in the above cases the petitioner is alleged to have committed the crime which is the subject matter of the present FIR.

In view of the above, the present petition is found devoid of any merit.

Dismissed.

06.11.2020
gk

(Deepak Sibal)
Judge

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