

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

207

**CRM-M-55555-2019
Date of decision: 08.01.2020**

Rajbir Gill

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Gursharan Singh, Advocate for the petitioner.

Mr. Sandeep Singh Deol, D.A.G. Punjab.

ARUN KUMAR TYAGI, J (ORAL)

The petitioner has filed the present (first) petition under Section 438 of the Code of Criminal Procedure Code, 1973 for grant of anticipatory bail to the petitioner in case FIR No.120 dated 10.06.2019 registered under Sections 452, 323, 379-B, 392 and 34 of the Indian Penal Code, 1860 at Police Station Rama Mandi, District Jalandhar.

The petition has been opposed by the State counsel. However, no written reply has been filed by learned State counsel.

I have heard learned counsel for the petitioner, learned State counsel and gone through the record.

Learned counsel for the petitioner has submitted that the petitioner was not named in the FIR. The petitioner has been falsely implicated in the case on the basis of confessional/disclosure statement of Paramjit Singh @ Prince Baba. Co-accused Nav Ketan has already been granted regular bail by this Court vide order dated 06.12.2019 modified vide order dated 20.12.2019. The petitioner is not involved in any other case of similar nature. The petitioner is ready to join the

investigation and he may be granted anticipatory bail.

On the other hand, learned State counsel has submitted that the petitioner had, along with his co-accused armed with deadly weapons, trespassed into the office of the E-Conroe Courier Company, abused and inflicted blow with iron rod on left hand of complainant-Amandeep in the presence of Supervisor Sukhpreet Singh and snatched amount of Rs.2,93,000/- and their mobile phones. Custodial interrogation of the petitioner is required for effecting the recovery. The petitioner does not deserve the concession of anticipatory bail. Therefore, the petition may be dismissed.

The Courts have been granted power to grant anticipatory bail to protect against motivated criminal litigation instituted at the instance of unscrupulous litigants animated by malice or political vendetta. Grant of anticipatory bail is an extra-ordinary remedy and is not, therefore, intended to be granted in every case. Number of factors including nature and gravity of the offences, quantum of sentence, likelihood of the accused absconding, intimidating or influencing the witnesses or tempering with the evidence or committing similar offences have to be taken into consideration. Socio-economic offences constitute a class apart and need to be visited with different approach in matter of bail. Since socio-economic offences have deep rooted conspiracies affecting the moral fibre of society and causing irreparable harm, the same have to be viewed seriously. Reference in this regard may be made to *State of Bihar and another Vs. Amit Kumar @ Bachaha Rai : 2017 (13) SCC 751* and *Rohit Tandon Vs. Directorate of Enforcement : 2018(11) SCC 46*.

Keeping in view the facts and circumstances of the case, nature of accusation against the petitioner made and the fact that custodial interrogation of the petitioner is required for thorough investigation regarding his involvement in the crime and effecting recovery but without commenting on merits of the case, I am of the considered view that the petitioner does not deserve the concession of anticipatory bail.

In view of the above discussion, the petition being devoid of any merit is hereby dismissed.

08.01.2020

Vinay

(ARUN KUMAR TYAGI)
JUDGE

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