

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-26728-2021 (O&M)

Date of Decision:-22.7.2021

Balwinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ranjodh Singh Sidhu, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. This is the second petition filed on behalf of the petitioner seeking grant of anticipatory bail.
2. The earlier petition had been withdrawn with liberty to the petitioner to surrender before the Trial Court and to move an application for grant of regular bail. However, it appears that the petitioner did not surrender thereafter.
3. In the instant case, the FIR was lodged by none else but the petitioner himself wherein he alleged that on 2.11.2020 when he alongwith his father Jarnail Singh was going on a motorcycle after withdrawing an amount of

₹5.50 lakhs from State Bank of India, Bhikhiwind, then three young boys followed them on a motorcycle and waylaid them. It is alleged that the said boys were carrying 'datars' and gave a blow with a 'datar' hitting the head light of motorcycle and on account of which he as well as his father fell down. It is further alleged that the said boys also inflicted a blow with 'datar' on the left thigh of complainant's father and snatched the bag containing the amount of ₹5.50 lakhs. It is the case of the prosecution that the matter was enquired into and investigated by the police during the course of which it was found that the entire drama of snatching of ₹5.50 lakhs from the complainant and his father was stage-managed in an attempt to avoid the payment of the lease amount to Harjit Singh from whom the complainant and his father had taken land on lease. It is further the case of prosecution that the petitioner Balwinder Singh @ Gill son of Lakhwinder Singh, Ranjit Singh and Gurdit Singh had connived with the complainant Balwinder Singh and his father Jarnail Singh for stage-managing the alleged robbery.

4. Learned counsel for the petitioner submits that since it is the petitioner himself who is the complainant and the FIR was lodged at his instance, therefore, it cannot be believed that he himself is the accused.
5. Opposing the petition, learned State counsel has submitted that during the course of investigation it had surfaced that the petitioner had himself enacted the drama of the alleged snatching in connivance with the co-accused Balwinder @ Gill, Ranjit Singh and Gurdit Singh so as to avoid payment of the lease money to Harjit Singh from whom the complainant and his father had taken land on lease.
6. I have considered rival submissions addressed before this Court.

7. Having regard to the facts and circumstances of the case, this Court does not find any ground for grant of anticipatory bail. The petition is sans merit and is hereby dismissed.

22.7.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No