

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

**CRM-M-19405-2021
Date of decision: 17.05.2021**

Jagdeepak Singh @ Raja

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. B. S. Jaswal, Advocate
for the petitioner.

(through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 262 dated 03.11.2015, registered under Sections 399, 402, 382 of the IPC and Section 25 of the Arms Act, 1959 at Police Station Chheharta, District Amritsar.

Learned counsel for the petitioner submits that as per allegations in the FIR, on 03.11.2015, ASI Bhupinder Singh received a secret information that five persons, including petitioner, are indulged in committing snatching and they are sitting in a car, bearing registration number PB-02-AV-2100, and having unauthorized weapons and they are planning to commit offence. On receiving such information, a raid was conducted at the disclosed place and the aforesaid car was found parked and five young persons, on seeing the police party, tried to run away from the spot and out of them, on person Navjot Singh @ Jot was arrested and he disclosed the name of the other persons who succeeded to escape from the spot.

Learned counsel further submits that petitioner is not the owner of the aforesaid car and in fact since 2013, he has been working in Dubai and in the intervening period, he has travelled to India many times.

Learned counsel has placed reliance upon petitioner's passport to submit that he was never arrested by the petitioner and no look out notice was issued as it is known in his village that petitioner is working abroad as labourer.

Learned counsel further submits that till 2020, the petitioner was not aware of registration of the FIR and when he applied for renewal of his passport with the Consulate General of India at Dubai, he was served with a show cause notice that the aforesaid FIR is pending against him.

Learned counsel further submits that a reply on 20.11.2020 (Annexure P-2) explaining that he has been residing in Dubai since long and has no knowledge if he has falsely been implicated in any case and considering the reply, the passport of the petitioner was renewed and thereafter, he came back to India on 27.11.2020 and applied for anticipatory bail, which remained pending for a considerable long period of 4 ½ months and the same was finally dismissed by the Additional Sessions Judge on 25.03.2021.

Learned counsel further submits that petitioner is not involved any other case and a double barrel gun has already been recovered from co-accused Shamsher Singh.

Learned counsel further submits that challan qua accused, who have been arrested, has already been presented on 11.11.2020 and the petitioner was kept in Column No. 2 and the petitioner is now apprehending his arrest.

Notice of motion.

Mr. Joginder Pal Ratra, DAG, Punjab, who is also appearing through video conferencing, accepts notice on behalf of the respondent-State and submits that petitioner is not involved in any other case, however, it is submitted that petitioner was named in the secret information.

After hearing learned counsel for the parties, without making any comment on the merits of the case, considering the facts that entries on the passport of the petitioner show that he has been travelling to & fro Dubai and was never arrested by the police and even no look out notice was issued against the petitioner and also in view of the fact Consulate General of India at Dubai, after issuance of a show cause notice, has renewed the passport of the petitioner to travel back to India and the petitioner is ready to face the trial, the present petition is allowed and the petitioner is granted concession of anticipatory bail, subject to the conditions envisaged under Section 438(2) Cr.P.C.

However, it will be open for the Investigating Officer to call upon the petitioner to join investigation, if so required, by issuing him a written notice in this regard.

17.05.2021*Waseem Ansari***(ARVIND SINGH SANGWAN)
JUDGE***Whether speaking/reasoned**Yes/No**Whether reportable**Yes/No*