

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

Sr.No.101

**CRM-M No.19398 of 2021
Date of Decision: 02.06.2021**

Amandeep @ Amana

...Petitioner

Versus

State of Punjab

...Respondent

(Heard through Video-Conferencing)

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present: Mr. Jaideep Verma, Advocate,
for the petitioner.

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MEENAKSHI I. MEHTA, J. (ORAL)

Apprehending his arrest in the criminal case as registered at Police Station Maqsudan, Jalandhar vide FIR No.189 dated 29.12.2020 under Sections 379-B(2), 482, 212, 216-A/120-B IPC, the petitioner has preferred this petition for seeking the relief of anticipatory bail.

Bereft of unnecessary details, the allegations, as levelled by the complainant in the instant case, are that one girl named Raveena Agnihotri called him to Jalandhar Kunj for meeting him and when he went there in his car bearing registration No. PB-08CR-9484, he noticed a girl and a boy standing there. In the meanwhile, four more boys, who were armed with iron-rods, reached there and they caused injuries to him and also took away his afore-said car, silver bracelet worn by him and two mobile i-Phones.

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Ms. Rashmi Attri, Assistant Advocate General, Punjab, has joined the proceedings in this case, in pursuance of the copy of this petition having been sent to the respondent-State in advance. She has forwarded the *pairvi*/status-report, Challan as presented against the co-accused of the petitioner namely Raveena Agnihotri and Munish Kumar as well as the disclosure statement of said accused Raveena Agnihotri to this Court through email, which have been placed on the record.

Learned counsel for the petitioner and learned State counsel have been heard in this petition.

Learned counsel for the petitioner contends that the name of the petitioner does not find mention in the formal FIR and moreover, the prime accused in the case are Raveena Agnihotri and Munish Kumar and they have already been arrested and nothing remains to be recovered from the petitioner, who is ready to join in the investigation and therefore, he deserves to be extended the benefit of the anticipatory bail.

Per contra, learned State counsel argues that the petitioner had been named by accused Raveena Agnihotri as her co-accused in the disclosure statement suffered by her in this case and the weapon of offence, i.e iron-rod, which he was carrying at the time of the occurrence is yet to be recovered from the petitioner and moreover, the proceedings under Section 82 Cr.P.C have already been initiated against the petitioner as he is evading his arrest.

Though, the name of the petitioner does not find mention in

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the formal FIR but he has categorically been named by the afore-said accused Raveena Agnihotri as her co-accused in this case and therefore, his complicity in the alleged commission of the offence needs to be looked into and ascertained during the investigation.

Then, as mentioned in the above-referred disclosure statement of his afore-named co-accused, the petitioner was allegedly carrying iron-rod, i.e weapon of offence, in his hand and the same is yet to be recovered from him. It being so, the possibility of the requirement of the custodial interrogation of the petitioner for this purpose, cannot be ruled out.

To add to it, as mentioned in the Challan presented against both the afore-named co-accused of the petitioner, the proceedings for declaring him (petitioner) a proclaimed offender have already been initiated in this case which shows that he has been evading his arrest/ joining in the investigation.

In view of the afore-discussed facts and circumstances as well as the gravity of the offence as allegedly committed by the petitioner in this case, this Court is of the considered opinion that the petitioner does not deserve the relief of anticipatory bail.

Resultantly, this petition is hereby dismissed.

(MEENAKSHI I. MEHTA)
JUDGE

02.06.2021
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Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No