

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

(203)

CRM-M-20986-2021

Date of Decision : June 17, 2021

Harwinder Singh @ Raju

.. Petitioner

Versus

State of Punjab

.. Respondent

(Through Video Conferencing)

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. B.B.S. Randhawa, Advocate, for  
Mr. G.S. Bajwa, Advocate, for the petitioner.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.

**HARSIMRAN SINGH SETHI J. (ORAL)**

Present petition has been filed under Section 438 Cr.P.C for the grant of anticipatory bail to the petitioner in respect of FIR No.94 dated 18.04.2021 registered under Sections 323, 341, 379-B, 427, 148 and 149 of the Indian Penal Code at Police Station Kotwali Kapurthala, District Kapurthala.

Learned counsel for the petitioner argues that the petitioner has been falsely implicated in the present case and the petitioner was not present at the spot and therefore, he be granted the benefit of anticipatory bail.

Learned counsel for the respondent-State submits that the petitioner is a habitual offender and there are three FIRs already registered against him and in respect of the present case, the petitioner was specifically named in the FIR as driving the car in which the assailants came and assaulted the complainant. Learned counsel for the respondent-State

further submits that the recovery is also to be effected from the petitioner of

the items which were snatched during the incident by the assailants from the complainant.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

The petitioner is on bail in other cases pending against him but still he is indulging in illegal activities. This shows the conduct of the petitioner and he can be safely termed as a habitual offender as of now. Despite grant of concession of bail in other cases, petitioner is continuing his illegal activities hence, in case, he is granted bail, he will repeat those illegal activities causing danger to public at large.

Once the petitioner has been named specifically in the FIR by the complainant and the allegations in the FIR are serious and the items snatched from the complainant are yet to be recovered, the prayer of the petitioner for the grant of anticipatory bail is rejected, keeping in view the facts and circumstances recorded hereinbefore.

Dismissed.

It is made clear that nothing observed herein shall be construed to be an expression of any opinion on the merits of the case.

**June 17, 2021**  
*harsha*

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

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