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

CRM-M-24517-2021

Date of decision-09.07.2021

Gurgagan Singh

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Jupinder Pal Singh Brar, Advocate for the petitioner.

Mr. Ramandeep Singh Sandhu, Sr.DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No.145 dated 07.07.2017 under Sections 379-B, 506 and 511 Indian Penal Code, 1860 and Sections 25 and 27 Arms Act, 1959 registered at Police Station Kotwali, District Bathinda.

The FIR was registered on the statement of Manik Garg, wherein it was alleged that he works as District In-charge at Wine office Bathinda. On 05.07.2017, at about 11.30 p.m., one white i-20 car bearing No.HR 24-T 1669 came to liquor shop and four persons alighted from the car and demanded beer. The complainant refused for the same due to closing hours, then one person took out the pistol and pointed towards complainant and another person tried to pick all the

cash. On raising alarm, all accused persons ran away. It was alleged that person who pointed the gun on complainant is Gurgagan Singh (petitioner), who came along with his accomplices namely, Bhupinder Singh, Kawaldeep Singh and Rashpal Singh. On these broad allegations, FIR was registered.

Learned counsel for the petitioner has argued that as per the allegations in the FIR, the petitioner was armed with pistol, but his licensed weapon already stands deposited with Kapoor Gun House. He further submits that the alleged vehicle bearing No.HR 24-T 1669 does not belong to the petitioner and as the petitioner is not involved in any other case, therefore, he (petitioner) be granted anticipatory bail.

On the other hand, prayer is opposed by learned State counsel who is assisted by HC Anmolveer Singh, on the ground that the petitioner is specifically named in the FIR, therefore, petitioner does not deserve the concession of bail as he alongwith his accomplices tried to snatch the money from the liquor vend.

After hearing learned counsel for the parties, this Court finds that the above FIR was registered on 07.07.2017 and the application for pre arrest bail has been filed in May, 2021 without explaining the delay. Even otherwise on merits, as per prosecution, the petitioner is named by the complainant, who was allegedly armed with firearm weapon and attempted to take away cash from the shop of the complainant. The nature of offences as well as the allegations are

serious, therefore, without expressing any opinion on the merits of the case, this Court does not find it to be a fit case for extending the extra ordinary concession of pre arrest bail to the petitioner.

Dismissed.

(MANOJ BAJAJ)
JUDGE

09.07.2021

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No