

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-26568-2021

Date of decision: 02.08.2021

Shakti Arora @ Rocky

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: - HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Sandeep Arora, Advocate, for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

JASGURPREET SINGH PURI, J.(ORAL)

The present petition has been filed under Section 439 of Code of Criminal Procedure for grant of regular bail to the petitioner in FIR No.42 dated 06.03.2021, under Sections 379-B/34 of Indian Penal Code, 1860, registered at Police Station Basti Bawa Khel, Jalandhar.

As per the allegations contained in the FIR which was made on the basis of statement made by one Parabhjot Singh son of Gian Singh, on 04.03.2021 there was a programme at their house and at around 4.00 P.M when his mother namely Manjit Kaur was standing outside the house in the street and he was standing on the roof of the house, two young persons on a black coloured motorcycle Splendor came there and the person driving the motorcycle was of heavy built and had tied parna on his head and it seemed that he was clean shaven and the pillion rider was of light weight. Both the

young men stopped the motorcycle and started talking with his mother and he saw this from the roof. Out of the two young persons, the person sitting on the pillion seat all of a sudden snatched her ear rings weighing ½ tola and both of them ran away on the motorcycle at a high speed. He began searching for them at his own level and now he has come to know that one person who was driving the motorcycle was Shakti Arora @ Rocky (petitioner) and the other person who snatched the ear rings was Vicky.

Learned counsel for the petitioner has submitted that in the present case the investigation of the case is already complete and the challan has been presented, however, the charges are yet to be framed. He has submitted that although the petitioner was involved in two other cases of snatching but he has already been granted regular bail in those cases and, therefore, he may be considered for the grant of regular bail in the present case as well.

On the other hand, Mr. Randhir Singh Thind, learned Deputy Advocate General, Punjab has opposed the grant of bail on the ground that it is a case where an incident took place on 04.03.2021 and the petitioner committed similar kind of two offences on the same day i.e. 04.03.2021 and two separate FIRs were registered i.e. FIR No. 34 dated 5.03.2021 at Police Station Division No.5, Jalandhar and FIR No.30, dated 15.03.2021 at Police Station Bhargo Camp, Jalandhar. Apart from the aforesaid two FIRs the petitioner is also involved in 4 more cases. He submitted that it is case where the petitioner is a chain snatcher and after he was arrested there was a recovery of 5 ear rings and one motorcycle with fake number. He has submitted that the petitioner is a habitual offender and there is every likelihood that in case he is

released on bail then he may repeat the offence and tamper with evidence and influence the witness and flee from justice and, therefore, he has opposed the grant of regular bail.

I have heard the learned counsel for the parties.

The allegations against the petitioner are grave in nature. As per the submissions made by the learned counsel for the State, on one single day i.e. on 04.03.2021 he committed three snatchings and recovery of 5 earrings and one motorcycle has been made from him during the course of investigation and he is also involved in 4 other cases. The apprehension expressed by the learned State counsel that in case the petitioner is released on bail then he may repeat the offence of snatching which is recurrent these days and he may even tamper with evidence and may influence the witness and may flee from justice does carry some weight at this stage.

Therefore, considering the totality of circumstances of the present case, I do not fit and proper to grant bail to the petitioner.

Consequently, the present petition is hereby dismissed.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

02.08.2021

rakesh

(JASGURPREET SINGH PURI)
JUDGE

whether speaking : Yes/no
whether reportable : Yes/no