

CRM-M-28924-2021

Date of Decision: 01.10.2021

Sunil Kumar @ Manga

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Saurav Kanojia, Advocate, for the petitioner.
Mr. Rana Harjasdeep Singh, D.A.G., Punjab.
Mr. Naveen Batra, Advocate, for the complainant.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

By this petition, the petitioner seeks the concession of anticipatory bail, upon FIR no.87, dated 9.6.2021, having been registered at Police Station City, Morinda, District Rupnagar, alleging therein the commission of offences punishable under Sections 380/457 of the IPC.

Learned counsel for the State submits that pursuant to the order of this court dated 26.07.2021, the petitioner has joined investigation but submits that as per the reply filed by the Deputy Superintendent of Police, Sri Chamkaur Sahib, District Rupnagar, though certain gold ornaments etc. (as are alleged to have been stolen on the date that the complainants' daughter eloped with one Harpreet Singh), have been recovered, as also cash to the tune of Rs. 3,00,000/- (from Seema Rani, daughter of the complainant), a large number of ornaments still need to be recovered.

Learned counsel for the petitioner however submits that, very strangely, though the allegations are against the complainants' daughter and

son-in-law also, they have not even been arraigned as accused by the police and therefore, in fact the entire story has been cooked up only because the complainants' daughter had eloped against his wishes.

Learned counsel for the complainant counters to the effect that the petitioner was the person who, in turn, robbed Seema Rani and Harpreet Singh of the gold ornaments and cash that they had initially taken away and consequently, the petition may be dismissed with the custodial interrogation can also be conducted in that regard.

It is to be noticed that the factum of any subsequent robbery from Seema Rani at the hands of the petitioner has not even been given in the affidavit of the DSP, with learned counsel for the complainant also not denying that no such complaint was filed.

Upon query to learned counsel for the complainant as to whether the complainant has expressed any desired at any stage, or even today, that his daughter and son-in-law be also arraigned as accused, in view of the fact that even as per the reply of the DSP, some gold ornaments have been recovered from the daughter of the complainant, he submits that the complainant does not wish to do so.

That being so, without making any further comment on the actual merits of the case, the petition is allowed and the order dated 27.07.2021 is made absolute.

October 01, 2021
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.