

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

CRM-M-38485-2021 (O&M)

Date of decision: 24.09.2021

Bikkar Singh @ Vikramjit Singh @ Vicky

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Prince Sharma, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

(Through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.03 dated 05.01.2020, registered under Sections 399, 402, 457, 511, 427, 458, 398 of the IPC and Section 25 of the Arms Act, 1959 at Police Station Jandiala, District Amritsar (Rural).

Learned counsel for the petitioner submits that as per allegations in the FIR, a secret information was received by the police that five persons, including the petitioner, are having deadly weapons and co-accused Shamsher Singh @ Sheru is their head and they are going to commit dacoity at a bank. Thereafter, three of the co-accused, namely Amarjit Singh, Prabhjit Singh and Arshraj Singh, were arrested by the police outside an ATM machine of Axis Bank, whereas the petitioner and Shamsher Singh @ Sheru succeeded in escaping. Later on, on the basis of the disclosure of the aforesaid co-accused, the petitioner was nominated as

an accused in this case.

Learned counsel further submits that the petitioner has been nominated in this case just to complete the ingredients of the offence as 5th accused, however, he was not seen in the CCTV footage, which was recovered by the police.

Learned counsel further submits that there is no other case against the petitioner and all the other accused have already been granted concession of regular bail by this Court by passing the separate orders.

In reply, learned State counsel could not dispute the fact that the petitioner was not seen in the CCTV footage and he was nominated on the basis of the disclosure of the other co-accused.

After hearing learned counsel for the parties, considering the aforesaid submissions of learned counsel for the petitioner and also in view of the fact that the FIR was registered on 05.01.2020 and the petitioner was never arrested, the present is allowed and the petitioner is granted concession of anticipatory bail, subject to the conditions envisaged under Section 438(2) Cr.P.C.

However, it will be open for the Investigating Officer to call upon the petitioner to join investigation, if so required, by issuing him a written notice in this regard.

24.09.2021

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No