

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

106

CRM-M-44971-2021

Date of Decision : October 28, 2021

HARPREET SINGH @ JAANU

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Ms. Parminder Kaur, Advocate
for the petitioner.

Through Video Conferencing

JASGURPREET SINGH PURI. J. (Oral)

The present petition is filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.171 dated 22.06.2021 under Sections 379-B(2), 323, 324, 341, 148, 149 of IPC, registered at Police Station, Sarabha Nagar, District Ludhiana.

As per the FIR, which was recorded on the basis of a statement made by one Rahul Kumar (complainant) that on 20.06.2021 at about 07:00 p.m. when he was going on his Activa colour white from Verka Milk Plant towards his house then at around 07:15 p.m., when he reached near Prem Villa, which is ahead of Cemetery, then on a slip road, a bullet motorcycle bearing No.PB91-L-2118, besides which, a young boy was standing, stopped him while standing in front of his Activa. In the meantime, 4-5 more boys came, who were hiding there and were armed with swords and sticks, and started beating him and then he heard

that someone was saying “Suraj, you should give sword blow” and he gave two blows with sword and then he again heard the name of one boy as “Siraj”, who also gave blows on his left side of chest, legs and arms. Thereafter, a boy being called by the name of Ashish snatched his Aactiva bearing No.PB-DX-6358 colour white from him and ran away and the complainant informed this incident to his father, who took him to the E.S.I. Hospital, Ludhiana for treatment. After enquiring, he came to know about the boys who fought with him on 20.06.2021 and snatched his white Aactiva, and their names were Ashish Kumar, Siraj, Prince Kumar @ Babbu, Suraj, Harpreet Singh @ Jaanu (petitioner) and Purav.

Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case because of enmity among the young boys and no role is attributable to the petitioner in the present FIR and, therefore, he may be considered for the grant of anticipatory bail.

On the other hand, Mr. R.S. Thind, learned DAG, Punjab has submitted that he has received the advance copy of the present petition and has also sought the instructions. He submitted that a gang of 6 boys, who are the accused in the present case, collectively attacked the complainant and snatched Aactiva Scooter from him and injuries were also caused to the complainant. He further submitted that the name of the petitioner is mentioned in the present FIR and he formed a part of the gang and, therefore, he does not deserve the concession of anticipatory bail.

I have heard the learned counsels for the parties.

In the present FIR, the name of the petitioner has been mentioned and the allegations are that a group of 6 boys had attacked the complainant and after injuring him, snatched Activa Scooter from him. The matter is at the investigation stage and the FIR was lodged on 22.06.2021 and the petitioner is absconding for more than four months.

Keeping in view the seriousness and gravity of the matter, where allegedly a number of boys have collectively attacked one person and not only injuries were inflicted but the Activa Scooter was also allegedly snatched from him, this Court does not deem it fit and proper to extend the concession of anticipatory bail.

Consequently, finding no merits in the present petition, the same is, hereby, dismissed.

October 28, 2021
ajay-1/rajender

(JASGURPREET SINGH PURI)
JUDGE

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