

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

CRM-M-9991-2022

Date of decision-09.03.2022

Jasdeep Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Manu Loona, Advocate for the petitioner.

MANOJ BAJAJ, J.

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in case FIR No.18 dated 14.02.2022 under Sections 379 and 411 Indian Penal Code, 1860 (Section 411 IPC added later on) registered at Police Station Arniwala, District Fazilka, who apprehends his arrest at the hands of Police.

Learned counsel for the petitioner has argued that the petitioner and other accused were not seen near the place where the actual theft of motors had taken place, who has been falsely implicated. He submits that the co-accused of the petitioner, namely, Gurwinder Singh @ Gaggu has already been arrested and from him, stolen motors have already been recovered. He submits that in the given facts, the custodial interrogation of the petitioner may not be necessary as he is willing to join the investigation. He prays for grant of anticipatory bail

to the petitioner.

After hearing learned counsel and considering the above background, this Court finds that name of the petitioner and the other accused persons is specifically mentioned in the FIR. According to the complainant initially, the accused were seen by his acquaintance, namely, Pamma Singh, who informed the complainant, and when he went to the said place where vehicle belonging to accused was parked, he had seen all the accused persons, who further attempted to stop them, but failed, as they escaped by driving their vehicle with the stolen material. Merely because the place of theft was at a little distance where accused were seen would not be a sufficient ground to accept the argument of learned counsel that the petitioner has been falsely implicated.

Resultantly, without meaning any expression and opinion on the merits of the case, this Court does not find it to be a fit case for grant of extra ordinary concession of pre-arrest bail to the petitioner as his custodial interrogation may be necessary.

Dismissed.

(MANOJ BAJAJ)
JUDGE

09.03.2022

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