

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**CRM-M-16131-2022 (O & M)****Date of decision: 18.05.2022**

Gurpreet Singh alias Gopi

.... Petitioner

V/s

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Ashish Aggarwal, Advocate, for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

Mr. Vikas Bali, Advocate, for the complainant.

JASJIT SINGH BEDI, J. (Oral)

1. The present petition under Section 438 Cr.P.C. is for the grant of the anticipatory bail to the petitioner in a case FIR No.53 dated 03.03.2022 under Sections 408, 120-B IPC 1860 (Section 379-B (II) of IPC and Section 25 of the Arms Act, 1959 added later on) registered with Police Station Sadar Amritsar, District Amritsar City.

2. The allegations in the FIR are to the effect that one Rajbir Singh got his statement recorded to the effect that he was the owner of Satguru Thinner Factory at Fatehgarh Churian Village Muradpura. His driver Robin Masih and cleaner Suraj Singh used to bring thinner to Nakodar on vehicle bearing registration No.PB-05-G-9742 and even earlier had gone to Nakodar and used to hand over the payment to him after bringing the same from there.

3. On 25.02.2022, his driver Robin Masih alongwith cleaner Suraj Singh went to Nakodar on the said vehicle and was supposed to come back

to Amritsar by receiving the payment from there. On that very day, his clerk Sumit called him and informed him that the driver Robin Masih and cleaner Suraj Singh had come to Amritsar on the aforementioned oil tanker after taking payment of Rs.6,04,000/- from Nakodar. They were supposed to handover the payment to the clerk Sanjay Sharma. However, on the way back, when they stopped the tanker on Fatehgarh Churian Road, three persons riding on motor cycle make Splendor, who had their faces covered, snatched Rs.6,04,000/- from Suraj Singh by showing him a pistol. On raising an alarm, Suraj Singh and Robin Masih got off the aforesaid tanker but the three persons on the motor cycle fled away with the money. On being asked, Suraj Singh stated that the money had been taken by three unknown persons. When he was threatened with an FIR, he broke down and told the complainant that Gurpreet Singh @ Gopi (the present petitioner), Gautam Dheer and one of their associate had committed the offence in connivance with him.

4. The learned counsel for the petitioner submits that the petitioner is not named in the FIR but his name has been disclosed by Suraj Singh, cleaner. He further submits that the petitioner has been falsely implicated in this case as the occurrence took place on 25.02.2022 and the FIR was registered on 03.03.2022 i.e. after delay of seven days. He submits that the custodial interrogation of the petitioner is not required, and therefore, the petitioner deserves the concession of anticipatory bail.

5. The learned counsel for the State as well as the complainant submit that as per the version of the Suraj Singh, it is the petitioner and his co-accused Gautam Dheer, who have taken away the money and, as such, he is not entitled to the concession of the anticipatory bail.

7. The allegations against the petitioner are very serious of having snatched away a sum of Rs.6,04,000/-. The custodial interrogation of the petitioner is certainly required not only to effect the recovery of the aforesaid amount but also to disclose the whereabouts of the other accused.

8. Keeping in view the aforesaid facts, no ground to grant the concession of anticipatory bail to the petitioner is made out. Hence, the present petition is dismissed.

(JASJIT SINGH BEDI)
JUDGE

May 18, 2022
sukhpreet

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No