

(103) IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-26301-2022

Date of Decision: 11.07.2022

MANPREET SINGH

... Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Bikramjit Aroura, Advocate
for the petitioner.

JASJIT SINGH BEDI, J.

The prayer in the present petition is for the grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.21 dated 28.03.2022 (Annexure P-1) registered under Sections 379-B, 34 IPC at Police Station Ghanie Ke Bangar, District Batala.

2. The brief facts of the case are that the statement of Manpreet Singh @ Mannu son of Charan Singh was registered to the effect that he was a photographer by profession and running a shop at village Jhangi near Dharamkot Randhawa. On 27.03.2022, he had gone to the marriage function of Harjit Singh son of Boora Singh at village Bhoma. At about 09.45 PM when after attending the programme, he was coming back to his village two unknown persons, who were on a motorcycle blocked his way. One motorcycle on which two young persons were sitting had already been chasing him from behind. The faces of all the persons were uncovered and therefore, he could identify them, if they came before him. All of them were

carrying deadly weapons like Kirch. Out of them two caught hold of him and the other two put their Kirch on his person. They took away his camera memory card, emergency light, battery charger, search light and Rs.5000/-. The right arm of his shirt was also torn and on account of being pushed to the ground he suffered an injury on his right wrist.

Pursuant to the registration of the FIR, the complainant got recorded his statement to the effect that the snatching was carried out by Gurpreet Singh @ Gopi along with his brother Manpreet Singh and two other unknown persons and he could identify them, if they came face-to-face to him. On the basis of the said statement of Gurpreet Singh @ Gopi and Manpreet Singh son of Ajit Singh i.e. the present petitioner came to be nominated as accused.

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the case and there is a delay of one day in the registration of the FIR. He contends that the prosecution version is unbelievable and the conduct of the complainant does not inspire any consequence. He further contends that Gurpreet Singh brother of the petitioner is said to have been involved in FIR No.23 dated 31.03.2022 registered under Sections 473, 379, 411 and 120-B IPC, 1860 at Police Station Ghanie Ke Bangar, District Batala, in which a motorcycle is said to have been recovered from the said Gurpreet Singh and therefore, the present petitioner and Gurpreet Singh have been falsely implicated in the present case.

4. I have heard the learned counsel for the petitioner at length.

5. The allegations against the petitioner are extremely serious. Undoubtedly, the petitioner was not named in the FIR. However, subsequently, he along with his brother Gurpreet Singh were named as assailants as the complainant in the FIR itself reveals that he could recognise the accused, if they came before him. Recovery of various articles as mentioned in the FIR are to be effected from the petitioner. Further, the petitioner has criminal antecedents and as many as 03 other FIRs stands registered against him bearing (i) FIR No.34 dated 29.03.2019 registered at Police Station Jhander, Amritsar Rural, (ii) FIR No.03 dated 06.01.2022 registered at Police Station Fatehgarh Churian, District Batala and (iii) FIR No.23 dated 31.03.2022 registered under Sections 473, 379, 411 and 120-B IPC, 1860 at Police Station Ghanie Ke Bangar, District Batala. Therefore, the criminal antecedents of the petitioner also do not entitle him to the grant of anticipatory bail.

6. In view of the above, looking at the serious nature of allegations levelled against the petitioner, his criminal antecedents inasmuch as, he is found involved in more than one case, as also the fact that the recoveries are to be effected from the petitioner, the custodial interrogation of the petitioner is necessary to take the investigation in the case to the logical conclusion.

7. Therefore, the present petition is hereby dismissed.

(JASJIT SINGH BEDI)
JUDGE

11.07.2022

JITESH

Whether speaking/reasoned:- Yes/No
Whether reportable:- Yes/No