

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

CRM-M-37793-2021

Date of Decision: 07.03.2022

Gobind Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Karanjeet Singh Brar, Advocate,
for the petitioner.

Mr. Anmol Singh Sandhu, AAG, Punjab,
assisted by ASI Gurdev Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.201 dated 13.10.2020 at Police Station Nathana, District Bathinda, under Sections 399/402/379B/411 IPC and Section 25 of the Arms Act.
2. The FIR was registered pursuant to receipt of secret information to the effect that Gursharan Singh @ Jauli, Gobind Singh, Lovepreet Singh @ Lavi, Jasvir Singh @ Jassu, Lakhvir Singh @ Happy, Sikander Singh, Gobind Singh @ Kalu, Kuldeep Singh @ Mantri, Surinder Singh @ Happy and Lachman Singh @ Babbu were possessing dangerous weapons and had formed a gang for the purpose of committing dacoity and at that moment had gathered near a vacant brick kiln while planning to commit dacoity in the house of some rich persons. Pursuant to receipt of said information, a raid was conducted at the nominated place and four persons, namely, Gobind Singh @ Kalu, Lovepreet Singh @ Lavi, Jasvir Singh @ Jassu and Lachhman Singh @ Babbu were nabbed at the spot.

Subsequently, on 18.10.2020 accused Deepu Giani, Lovely @ Roghar, Sukhchain Singh @ Chaina, Bahal Singh @ Bahala, Jagjeet Singh @ Balle Balle were nominated as accused vide DDR No.25 dated 18.10.2020 on the basis of statement of Chamkaur Singh and the offence under Sections 379 and 411 IPC were added. On the same day i.e. 18.10.2020, during investigation, accused Gobind Singh @ Kalu, Lovepreet Singh @ Lavi and Lachhman Singh @ Babbu got recovered two motor-cycles without having numbers, one air pistol, one *kapa*, one hockey, stolen currency notes of Rs.25,000/- and three mobile phones. Accused Jagjeet Singh @ Balle Balle and Lovepreet Singh @ Happy were also arrested on 18.10.2020 and they got recovered one pistol .315 bore alongwith two live cartridges, iron *kuhari*, stolen currency of Rs.25,000/-, five mobile phones of different marka and four motor-cycles of different marka. Thereafter, on 11.11.2020 accused Jaskaran Singh @ Lovely @ Roghar was arrested and he got recovered one motor-cycle marka Bajaj without having any number on the same. As per prosecution, accused Kuldeep Singh @ Moni used to provide the meal and accommodation etc. to the abovesaid accused persons after committing the lootings/snatchings and as such offence under Sections 212/216 IPC were added. During investigation, accused Lovepreet Singh @ Lavi disclosed that he alongwith Lovely, Boggi, Happy, Govind, Jagjeet Singh, Gursharan Singh @ Jalli, Kuldeep Singh @ Mantri, Deepu Giani, Happy, Bahala and Sukhchain snatched the bag and then assembled in the cremation ground where they distributed the snatched amount amongst them. It is accused Jasvir Singh, who named the accused

Kuldeep Singh @ Mantri during investigation that he had accompanied him and other persons for snatching the money and motor-cycles from the passer-byes.

3. Learned counsel for the petitioner submits that the petitioner was never arrested at the spot and that there are two persons by the name of Gobind Singh and it is the other person, namely, Gobind Singh @ Kalu son of Tirath Singh, who was arrested at the spot, whereas the petitioner is Gobind Singh son of Sewak Singh.
4. Learned State counsel does not dispute that the petitioner is not amongst the persons, who were arrested at the spot. Learned State counsel has informed that he has been instructed by ASI Gurdev Singh to the effect that the petitioner pursuant to interim directions issued by this Court has since joined investigation and is not required for any custodial interrogation and that he is not wanted in any other case.
5. Having regard to the aforestated position, wherein the petitioner was never apprehended at the spot and is also stated to have joined investigation, the petition is accepted and the interim directions issued by this Court vide order dated 13.09.2021 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

07.03.2022

Vimal

(GURVINDER SINGH GILL)
JUDGE

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