

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-36068-2022

Date of decision : 23.8.2022

Salim Ahmad @ Saleem Ahmad

... Petitioner

VERSUS

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Baljeet Beniwal, Advocate, for the petitioner.
Ms. Harpreet Kaur, AAG, Haryana.

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.411 dated 1.5.2022 registered under Sections 380, 457 IPC (Sections 379-B, 120-B, 420, 467, 468, 471 IPC and Section 25 of Arms Act added later on) at Police Station Camp Palwal, District Palwal.

Counsel for the petitioner submits that FIR in this case was registered against unknown persons alleging that the said unknown persons removed and taken away ATM having cash worth ₹ 25,335,00/- in it. He further submits that the petitioner has been falsely implicated in the present case on the basis of disclosure made by co-accused Ranvir @ Rana and Wasim and that the petitioner is ready to join the investigation.

Prayer is opposed by the State counsel who submits that certain unknown persons uprooted the ATM carrying cash worth ₹25,335,00/- and then taken away the same at about 2:45 a.m. on 1.5.2022.

State counsel further submits that during the investigation, Ranvir @ Rana and Wasim were arrested and they disclosed about the involvement of the petitioner in the present occurrence. She further contends that the petitioner is already facing 10 other criminal cases of serious nature and that the petitioner is required by the police for proper investigation of this case.

I have considered the submissions made by the counsel for the parties.

There is no doubt regarding the fact that FIR in this case was registered against unknown persons who removed and took away ATM of Punjab National Bank having amount of ₹ 25,335,00/- in it, on 1.5.2022 at about 2:45 a.m. During the investigation, it was found that the present petitioner was also involved in the aforesaid incident. There are also allegations that the stolen amount was distributed among all the accused including the petitioner and recovery of the same is yet to be effected. The petitioner who is having criminal antecedents is required by the police for effective investigation in this case.

In view of above, as serious allegations are appearing on record against the petitioner, this Court is of the view that he is not entitled to get discretionary relief under Section 438(2) of Cr.P.C.. Consequently, the present petition is hereby dismissed. However, any observation made hereinabove is not to be construed as expression of opinion on the merits of the case.

(KARAMJIT SINGH)
JUDGE

August 23, 2022

Paritosh Kumar