

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-36662-2022

Date of Decision:-26.08.2022

Gursewak Singh.

.....Petitioner.

Vs.

State of Punjab.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Karamjit Singh Brar, Advocate for the Petitioner.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in the petition under Section 438 Cr.PC is for the grant of anticipatory bail to the petitioner in case FIR No.100 dated 30.05.2022 under Section 392 IPC and Section 25 & 27 of Arms Act registered at Police Station Vairo Ke, District Fazilka.

The brief facts of the case are that the present FIR came to be registered at the instance of Sukhpal Singh son of Karam Singh who stated that they were two brothers and he was posted at Golden Rice Mill, Guruharsahai Road, Sri Muktsar Sahib as Munim for the last one year. ON 30.05.2022 at about 8.15 pm he started on his motor cycle to go to his village and he he crossed village ChackJanisar a white car came alongside and signalled him to stop. When he did not stop the car was brought before his motor cycle to stop him. Four young men came out of the car one of whom was armed with a pistol. They snatched his purse containing

Rs.10,000/-, RC of the motor cycle, Aadhaar Card and other necessary articles including his mobile phone. He stated that he could recognise the above persons if brought before him. Pursuant thereto a supplementary statement of the complainant was recorded in which he named the petitioner as one of the assailants who was said to be armed with a sharp edged weapon at the time of the commission of the robbery.

The counsel for the petitioner contends that the co-accused of the petitioner have been arrested and various articles have been recovered from them. Nothing was to be recovered from the petitioner and even otherwise he had been named after one week in a supplementary statement which shows that he had been falsely implicated. In fact the petitioner was known to the complainant and the complainant ought to have disclosed the name of the petitioner at the very outset when the FIR came to be registered. He thus contends that the petitioner be granted the concession of anticipatory bail.

I have heard learned Counsel for the petitioner at some length.

The allegations against the petitioner and his co-accused are that they all armed with sharp edged weapons commit robbery of Rs.10,000/-, took away the RC of the motor cycle, Aadhaar Card and the mobile phone of the complainant. The petitioner has been specifically named in this case as one of the assailants in the supplementary statement of the complainant. Some of the accused have been arrested and the recovery is effected but the recovery of the weapon shown to be in possession of the present applicant is yet to be effected. Even otherwise the allegations against the petitioner are grave.

In view of the seriousness of the allegations as also the fact that

the recoveries are to be effected and the investigation is to be taken to its logical conclusion, the custodial interrogation of the petitioner is certainly required.

Finding no merit in the petition, the same is hereby dismissed.

(JASJIT SINGH BEDI)
JUDGE

August 26, 2022
Vinay

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No