

CRM-M-42032-2022

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-42032-2022

Date of decision: 14.09.2022

Major Singh @ Bittu

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Manish Kumar Singla, Advocate,
for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.129 dated 18.08.2022, registered at Police Station City Khanna, District Khanna, under Sections 411 and 34 IPC.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case; that the petitioner has been indicted in the present case on the disclosure statement of co-accused; that the petitioner was not apprehended at the spot, and that recovery of canter has already been effected from co-accused, namely, Jeet Singh and Tarsem Singh @ Sema.

I have heard the learned counsel for the petitioner.

As per the case of the prosecution, acting on a tip-off, the police had laid a *Naka*, leading to the arrest of co-accused, namely, Jeet Singh and Tarsem Singh and the recovery of stolen Canter TATA 1109 loaded with scrap. The petitioner has been indicted in the present case on the disclosure statement of the co-accused.

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There are serious allegations against the petitioner that he alongwith his accomplices had committed the theft of Canter loaded with scrap.

The ground that the petitioner has been indicted in the present case on the disclosure statement of the co-accused, cannot be the sole consideration for grant of pre-arrest bail. As to whether the petitioner has been falsely implicated or not, would be subject matter of the investigation.

Learned Addl. Sessions Judge, Ludhiana, while dismissing the bail application of the petitioner, noticed that the petitioner has as many as 16 FIRs registered or pending against him. It appears that the petitioner has a tendency of committing repeated crime of similar nature. In the considered opinion of this Court, the purpose of investigation would stand defeated by allowing the petitioner to join investigation, especially keeping in view his antecedents. Moreover, the criminal antecedents of the habitual offender(s) like the petitioner, which shatter the very tranquility of the collective, do not entitle him to be enlarged on bail.

In view of the above, this Court finds that the petitioner is required for custodial interrogation.

Therefore, finding no merit in the present petition, the same is dismissed.

14.09.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No