

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

210

**CRM-M-44141-2022
Date of Decision : 10.10.2022**

Amritpal Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present : Mr. Rajvir Singh, Advocate
for the petitioner.

Mr. Gurpreet Singh Sandhu, D.A.G., Punjab
for the respondent-State.

ASHOK KUMAR VERMA, J. (ORAL)

The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.34 dated 05.03.2018 registered under Section 382 of the Indian Penal Code, 1860 (Sections 379-B and 34 of the IPC were added later on) at Police Station City Morinda, District Rupnagar.

The above-said FIR was registered on a complaint made by complainant Ram Naresh alleging that on 04-05.03.2018 at about 12:15 a.m. he was coming back from Ludhiana to Chandigarh in his vehicle bearing registration No.CH-01-TB-3750. When he reached near Village Marauli some unknown persons came there stopped his vehicle and took him at vacant brick kilns where they tied his hands and feet and snatched his mobile and currency of Rs.1300/- and ran away along with his vehicle.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. Initially, the FIR was registered under Section 382 of the IPC and the petitioner was released on regular bail by learned Additional Chief Judicial Magistrate, Rupnagar vide order dated 28.03.2020. There is no evidence for recovery against the petitioner. Cancellation report was also prepared by the concerned police station but strangely the challan

was presented by adding the offence under Section 379-B and 34 of the IPC on 17.09.2021 i.e. after a period of more than 3½ years. When the petitioner came to know that the fact that the challan was presented by adding the offence under Sections 379-B and 34 of the IPC, he approached learned Additional Sessions Judge, Rupnagar for seeking anticipatory bail but the same was declined vide order dated 04.08.2022. Since the challan has already been presented, custodial interrogation of the petitioner is not required. The petitioner is already ready and willing to join investigation.

On the other hand, learned State counsel opposes the present petition on the ground that in the police custody all the accused persons confessed that they had snatched the vehicle and mobile from the complainant. The case is fixed for 12.10.2022 before the trial Court.

I have heard learned counsel for the petitioner and learned State counsel and gone through the relevant record.

In view of the facts and circumstances of the case, the fact that challan has already been presented in the Court and custodial interrogation of the petitioner is not required, the present petition is disposed of with directions to the petitioner to appear before the trial Court on 12.10.2022 and in case the petitioner so appears before the trial Court, he shall be released on bail on furnishing of bail bonds by him to the satisfaction of the trial Court.

10.10.2022

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(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No