

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

CRM-M No. 45305 of 2022

Date of decision : September 29, 2022

Sandeep Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- Mr. Kartik Gupta, Advocate
for the petitioner.

PANKAJ JAIN, J. (ORAL)

This is a petition filed under Section 438 Cr.P.C in FIR No. 133 dated 27.05.2022 seeking anticipatory bail for the offence punishable under Sections 379-B IPC, 1860 registered at Police Station Model Town, District Hoshiarpur.

As per the allegations levelled in the FIR it has been alleged that:

“I am a resident of above address and I am. a household lady. After purchasing the household articles, I was returning to my house on my Aactiva bearing registration No.PB-07-BV-7732 which was being driven by my son namely Jaspal Singh. At about 07:30 PM, when we were going on the passage from Parbhat Chowk towards Jalandhar side Road to Mohalla Tibba Sahib, Hoshiarpur, then at that time a clean shaven young person came from behind on his Hero Motorcycle, which was black in colour and was without any registration number. The said person brought his motorcycle parallel to our Aactiva and snatched the gold chain which I was wearing in my neck and ran away. Thereafter, I came to know about his name as Sandeep Kumar son of Sudesh Kumar, resident of Garhdiwala, Police Station Garhdiwala, District Hoshiarpur. At some distance, the said person met with an accident and fell down and he even received injuries. Due to the said accident, while the

above person was lying down, half of the chain was recovered from his hand. Necessary legal action be taken against the above person, who has committed theft. The statement has been heard and the same is correct. Sd/- Jasveer Kaur, Attested Sukhdev Singh, Attested Jasveer Singh ASI, Police Station Model Town, Hoshiarpur dated 27.05.2022. Police Proceedings: Today I ASI alongwith HC Shamsher Singh 1324, PHG Pardeep Kumar 13902 were present in a private vehicle at Parbhat Chowk, Hoshiarpur with regard to checking of suspicious vehicles and suspicious persons, then at that time Jasveer Kaur wife of Sh. Sukhdev Singh, resident of Street No.4, Mohala Kirti Nagar, Police Station Model Town, Hoshiarpur got her above statement recorded before me, who after testifying the contents of the same signed in Punjabi and her statement was attested by her husband namely Sukhdev Singh. From perusal of the above statement, offence under Section 379-B IPC is found to be made out. Ruqa has been prepared and the same is sent by hand through PHG Pardeep Kumar 13902 for registering the FIR. The FIR be registered and the same be numbered. Special Reports be prepared and Control Room be informed. I ASI alongwith other police officials are going at the spot for further investigation. Sd/ Jasveer Singh ASI, Police Station Model Town, Hoshiarpur, dated 27.05.2022 at 10:25 PM.”

Learned counsel for the petitioner relies upon the compromise dated 12.7.2022 (Annexure P-2) which is stated to be executed between the petitioner and the victim whereby she is stated to have agreed not to pursue the legal proceedings against the petitioner. He further submits that nothing is to be recovered from the petitioner, thus the petitioner is entitled for pre-arrest bail.

Notice of motion.

Mr. Arun Gupta, Asstt. A.G., Punjab, who is present in Court accepts notice on behalf of the State and submits that infact it is a case wherein the petitioner/snatcher snatched the gold chain while the victim was travelling on the scooter. While doing so the accused met with an accident

and was apprehended from the spot. Half of the gold chain was recovered from the hand of the accused. He submits that serious allegations have been levelled against the petitioner, thus he does not deserve the concession of pre-arrest bail.

I have heard learned counsel for the parties and have gone through the record of the case.

Keeping in view the seriousness of the allegations levelled against the petitioner and the manner in which the offence was committed while moving on road causing threat to the public at large, petitioner deserves no concession.

Consequently, the present petition stands dismissed.

(PANKAJ JAIN)
JUDGE

September 29, 2022
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Whether speaking/reasoned	Yes
Whether Reportable :	No