

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

Sr. No.102

**CRM-M-545-2023 (O&M)
Date of decision : 09.01.2023**

Harman Kumar @ Golgappa

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Vaibhav Narang, Advocate, for the petitioner.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks grant of anticipatory bail in case FIR No.132 dated 23.5.2022 registered at Police Station Sadar Amritsar, District Police Commissionerate, Amritsar, under Section 379-B IPC (Sections 379-B-2, 34 IPC and Section 25 of the Arms Act, 1959 have been added subsequently).

According to the contents of the FIR, the motorcycle of the son of the complainant was snatched by the accused persons.

A perusal of the petition shows that co-accused, namely, Nikhil Kumar @ Bhollu was arrested in FIR No.75 dated 30.6.2022 and he recorded his confessional statement that there was total four accused. Subsequently, the motorcycle has been recovered from the house of the petitioner.

Learned counsel for the petitioner submits that according to the confessional statement, the petitioner was only involved in doing *recce*. Thus, act of snatching is not attributed to him.

The argument cannot be accepted as recovery has infact been effected from the house of the petitioner. Common intention is thus, evident

and whether, he was actually involved in the offence of snatching or not, will only be determined during the trial.

Accordingly, no ground to grant anticipatory bail is made out.

The petition is accordingly, dismissed.

(SUDHIR MITTAL)
JUDGE

09.01.2023
Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No