

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

107-CRM-M-1510-2023

Date of Decision: 12.01.2023

MANPREET SINGH @ MANNU

... Petitioner

VS.

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present: Mr. RS Sidhu, Advocate for the petitioner

Sandeep Moudgil, J. (Oral)

The petitioner seeks anticipatory bail in case FIR No.92 dated 02.10.2022, under Sections 457/380 IPC, registered at Police Station Tarsikka, District Amritsar.

The allegation against the petitioner is that he, along with his co-accused, has committed the theft of articles like fans, girders etc. from the house of the complainant.

Counsel for the petitioner has argued nothing else but on the strength of the fact that there is no eye-witness to the said occurrence corroborating the role of the petitioner, as stated in the FIR, which is of no help. In fact, keeping in view the timing of the theft and the concept which is well-known to the law that no theft is committed in a house in the presence of any other person, who can be joined as an eye-witness to the commissioning of the said offence except the accomplice of the offender.

Since there are specific allegations leveled against the petitioner for committing theft of articles and the recovery of the articles is yet to be effected which is in huge quantity running into quintals of materials, pertaining to various kinds of metals viz. iron, steel, brass etc. and also

considering the nature of allegations and the items so stolen include girders from the house of the complainant which would have resulted into serious consequences as well as leaving the same open would have resulted into physical injury and even loss of life of anyone, this Court does not deem it a fit case to grant the concession of anticipatory bail to the petitioner.

Dismissed.

12.01.2023	(Sandeep Moudgil)
V.Vishal	Judge
1. Whether speaking/reasoned?	Yes/No
2. Whether reportable?	Yes/No