

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

CRM-M No.24329 of 2023

Date of decision: 15th May, 2023

Amrik Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. DPS Joura, Advocate for the petitioner.

MANJARI NEHRU KAUL, J.

The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.43 dated 04.04.2022 under Sections 380, 457 IPC (Section 414 & 201 IPC added later on) registered at Police Station Moonak, District Sangrur (Punjab).

Learned counsel for the petitioner inter alia contends that the false implication of the petitioner in the FIR in question is evident from the fact that the FIR was registered against unknown persons and it was only one year thereafter, the petitioner came to be nominated as an accused in the case in hand. Learned counsel further submits that even otherwise, the only allegation levelled against the petitioner is that the co-accused after committing theft of a vehicle had sold it to the petitioner, who in turn had then sold it further. Learned counsel therefore contends that the evidentiary value of the disclosure

statement, pursuant to which he has been nominated as an accused in the case in hand, is of a weak nature for which he deserves the concession of anticipatory bail.

Notice of motion.

On the asking of Court, Mr. Ramdeep Pratap Singh, Sr. Deputy Advocate General, Punjab, who is present in Court, accepts notice on behalf of the respondent/State.

Learned State counsel has vehemently opposed the prayer made by the counsel opposite for extending the concession of bail to the petitioner. He, on instructions, submits that the petitioner is a habitual offender and is a member of a gang which has been active in the area of Sangrur and is involved in as many as eight other criminal cases of similar nature. Learned State counsel submits that the crime in question was committed by the petitioner while he was on bail in the other criminal cases which already stood registered against him.

I have heard learned counsel for the parties and perused the relevant material on record.

Prima facie, there are serious and specific allegations against the petitioner of being a part of a gang which has been committing theft of vehicles in Sangrur and its vicinity. This Court concurs with the submissions made by the learned State counsel that the custodial interrogation of the petitioner would be necessitated in view of the fact that he is a habitual offender and is involved in as may

as 8 other criminal cases. This Court, in view of his criminal antecedents, does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner.

Dismissed.

However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

May 15, 2023
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No