

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

104

CRM-M-31664-2023

Date of decision: 05.07.2023

Karan Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ashok Kumar Khunger, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.0030 dated 23.03.2023 under Sections 379, 392 and 411 of the IPC, registered at Police Station Sadar Jalalabad District Fazilka.

2. Learned counsel for the petitioner *inter alia* contends that a false and fabricated case has been planted upon the petitioner that he along with co-accused had indulged in snatchings at gun point. He submits that allegedly a secret information was received qua all the accused including the petitioner, however, it was a matter of record that the petitioner was not found at the spot along with co-accused when the police party arrived at the spot. Learned counsel has also submitted that there was a history of animosity between the petitioner and one of the accused, which also was one of the reasons for the petitioner being falsely implicated in the case in hand. Learned counsel submits that in similar circumstances, a Coordinate Bench of this Court in CRM-M-34994-2022 had extended the concession of anticipatory bail to an

accused. Learned counsel submits that in the facts and circumstances, the petitioner deserved to be extended the concession of anticipatory bail.

3. Notice of motion.

4. On asking of the Court, Mr. Amit Rana, Sr. DAG, Punjab accepts notice on behalf of the respondent-State.

5. Learned State counsel has opposed the prayer and submissions made by the counsel opposite. He, on instructions from ASI Lakhmir Singh, submits that no doubt the petitioner was not apprehended at the spot but a specific information was received by the police qua his participation in the alleged crimes along with co-accused. He, on further instructions, submits that the petitioner is involved in a number of other similar cases which in turn corroborates the secret information received by the police qua his involvement in various cases of snatchings.

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

7. Prima facie the petitioner does come across as being part of a gang which has been indulging in snatching etc. at gun point. The order passed by a Coordinate Bench of this Court in the facts and circumstances of this case can be easily distinguished as in the instant case a specific secret information was received qua the involvement of the petitioner in offences under Sections 379, 392 and 411 of the IPC and all this would have to be appreciated in the light of his involvement in other cases of similar nature. This Court, therefore, does not deem it fit to extend the extraordinary concession of anticipatory bail to the

petitioner.

8. The instant petition stands dismissed accordingly.

9. 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.

05.07.2023

(MANJARI NEHRU KAUL)
JUDGE

Vinay

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