

CRM-M-38752-2023

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

**CRM-M-38752-2023
Date of Decision: 08.08.2023**

Adarsh @ Ishu Bassi

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Manjinder Kumar, Advocate,
for the petitioner.

RAJBIR SEHRAWAT, J. (ORAL)

1. The present first petition has been filed by the petitioner under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.39 dated 04.04.2023 registered under Sections 454 and 380 of the Indian Penal Code, 1860, at Police Station Garhshankar, District Hoshiarpur.

2. It is submitted by the learned counsel for the petitioner that the case against the petitioner is totally concocted. The petitioner is not involved in any crime as is alleged against him in the present case. Even as per the story of the prosecution, nothing is alleged by the complainant to have been stolen by the petitioner. There are only general allegations. Therefore, nothing is required to be recovered from the petitioner. It is further submitted by the counsel for the petitioner that the petitioner is ready to join the investigation and to cooperate with the Investigating Officer as and when called by the police.

3. Notice of motion.

4. On the asking of the Court, Mr. Sandeep, Additional Advocate

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General, Punjab, accepts notice on behalf of the respondent-State and vehemently opposed the petition.

5. Learned counsel for the State, on the instructions from ASI Kailash Chander, has submitted that the name of the petitioner is duly mentioned in the aforesaid FIR. Not only that, even the co-accused, who was arrested by the police, during investigation has stated about the role of the petitioner in the crime. The recoveries are yet to be effected. The petitioner is involved in two more cases of similar nature. The case is at initial stage. The custodial interrogation of the petitioner is necessary for the stolen materials recovered from the petitioner, therefore, the petitioner does not deserve any concession of anticipatory bail.

6. In view of the above facts and circumstances of the case and the submissions made by the learned State counsel, this Court does not find any ground to interfere so as to grant concession of anticipatory bail to the petitioner.

7. Dismissed.

(RAJBIR SEHRAWAT)
JUDGE

08.08.2023
adhikari

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No