

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-41655-2022 (O&M)

Date of decision : 16.2.2023

Manjit Singh

... Petitioner

VERSUS

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. A.K.Walia, Advocate,
for the petitioner.

Mr. C.L.Pawar, Addl. AG, Punjab.

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.175 dated 11.8.2022 registered under Sections 379-B, 120-B IPC at Police Station Moti Nagar, Ludhiana.

As per allegations recorded in the FIR, 7 persons armed with weapons, encircled the complainant, Upinder Kumar and Pankaj Chaudhary and snatched mobile phones and cash from them. Three of the accused namely Inderjit Singh, Karan Kumar and Prince involved in the said incident were apprehended at the spot by the public and some of the snatched articles were recovered from them. There are also allegations that said 3 accused persons disclosed the name of the present petitioner as their accomplice.

Counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and the petitioner is having no

criminal history and veracity and relevance of the disclosure, if any, made

by co-accused is to be tested during the trial. He further submits that the petitioner has already joined the investigation with the police on two occasions in compliance of previous order.

State counsel on instructions from ASI Ajmer Singh submits that indeed, the petitioner has joined the investigation with the police. He has not disputed the fact that the petitioner is named in the present case only on the basis of disclosure statement made by co-accused who were apprehended at the spot by the general public and from whom, certain recoveries are effected. He further submits that the petitioner is not required by the police for further investigation or custodial interrogation.

In view of the above, without commenting on the merits of the case, the present petition is allowed and order of interim bail dated 12.9.2022 is hereby made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

(KARAMJIT SINGH)
JUDGE

February 16, 2023
Paritosh Kumar

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