

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

103

CRM-M-39903-2023
Date of Decision: 16.08.2023

Pankaj Kumar
...Petitioner

Versus

State of Punjab
...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present:- Mr. Fatehjeet Singh, Advocate,
for the petitioner.

Mr. Sanish Girdhar, AAG, Punjab.

FIR No.	Dated	Police Station	Section/s
21	03.03.2023	Division No.3, Jalandhar, District Commissionerate Jalandhar	382, 341, 419, 506, 34 IPC

VIKAS SURI, J. (Oral)

1. The petitioner has filed the present petition under Section 438 Cr.P.C. for grant of anticipatory bail in the above-captioned case.
2. As per the prosecution story, a complaint was moved by complainant-Gagan Khanna on the allegations that he is working in a finance company and one Anshu Verma had borrowed money from him. On 02.03.2023, Anshu Verma called him to reach at Football Chowk, Jalandhar and later on, at Amar Guest House, Phagwara Gate, Jalandhar, to take the money back. When the complainant reached Amar Guest House, Anshu Verma took him to Room No.114, where petitioner-Pankaj along with

Pratham, Hitesh, Jai and Kali were already present there and playing cards and Anshu Verma also joined them. After about 10/12 minutes, two persons representing themselves to be officials of CIA staff, came to the room and started making video and tried to forcibly take his phone. When the complainant did not give his phone, said persons started threatening him. The complainant tried to escape from there but the said persons caught him and snatched ₹70,000/-, collection money he was having and fled away from the spot.

3. Learned counsel for the petitioner submits that the present FIR is a falsehood to contend that the petitioner has been falsely implicated in this case and he has nothing to do with the alleged offence. It is further submitted that no overt act has been attributed to the petitioner and nothing is to be recovered from him. He also submits that the petitioner is ready and willing to join the investigation and cooperate with the same.

4. *Per contra*, learned State counsel has vehemently opposed the present petition by contending that the offence alleged against the petitioner is serious in nature and submitted that the petitioner, in connivance with the other co-accused, has committed the offence of snatching ₹70,000/- from the complainant, recovery of which is yet to be effected from him along with co-accused. He further submits that the petitioner has been specifically named in the FIR and that CCTV footage of the date of occurrence has also been seized showing his presence at the spot along with that of his co-accused at the time of commission of offence. He, thus, submits that the custodial interrogation of the petitioner is very much necessary and prays for

dismissal of the present petition.

5. Having heard learned counsel for the parties and keeping in view the nature of allegations levelled against the petitioner, this Court is of the considered view that the petitioner does not deserve the concession of anticipatory bail at this stage. The petitioner along with his accomplices conspired and called the complainant to Amar Guest House and snatched away cash from him. The identity of two persons, who represented themselves to be officials from CIA Staff, is also to be established; recovery of money so snatched is yet to be effected from the petitioner and his co-accused; and thus, custodial interrogation of the petitioner is very much necessary. This Court does not find it to be a fit case to grant indulgence in the facts and circumstances of the case.

6. In light of the above, the present petition stands dismissed.

August 16, 2023
Harish

(VIKAS SURI)
JUDGE

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