

102

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

—

CRM M 48279-2023
Date of Decision 25.09.2023

Amandeep Singh

.....*Petitioner*

versus

State of Punjab

...Respondent

Coram Hon'ble Mr. Justice Rajbir Sehrawat

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

Rajbir Sehrawat, J, (Oral)

The present petition has been filed under Section 438 of the Code of Criminal Procedure, praying for grant of anticipatory/pre-arrest bail to the petitioner in case FIR No. 0163 dated 03.09.2023, registered under Sections 364 and 120-B of the Indian Penal Code (Sections 25 and 54 of the Arms Act added subsequently) at Police Station City Fazilka, District Fazilka.

It is submitted by counsel for the petitioner that the case against the petitioner is totally false and concocted. The petitioner is not involved in the crime as alleged against him. Even as per the story of the prosecution, initially the FIR was registered against two persons, *namely*, Gurwinder Singh and Raman Sohi. However, during investigation, the detainee was found to be in the custody of the above said two accused and one more accused, *namely*, Sunil was also presented there at that time. The name of the petitioner has surfaced only in the disclosure statements of the co-accused. Beside that, there is no other material, connecting the petitioner to

the crime as alleged against him. There is no other case against the petitioner. The petitioner shall join the investigation as and when called by the police. Hence, the petitioner deserves to be protected against his arrest.

Notice of motion.

Mr. Sandeep Singh, Additional Advocate General, Punjab accepts notice on behalf of the respondent – State.

Counsel for the State, being assisted by ASI Balkar Singh has submitted that one Nachhattar Singh was abducted by some persons. Subsequently, on getting the lead, the house of co-accused Gurwinder Singh was raided, from where, detinue Nachhattar Singh was found present and one Sunil was also found present there, who detained Nachhattar Singh inside the house. The name of the petitioner has come through the disclosure statements of all the accused, as a person who was part of the abduction team. The police are to find out the exact details of the commission of crime. Therefore, the custodial interrogation of the petitioner is imperative in the case. Hence, the petitioner does not deserve to be protected against his arrest.

Keeping in view the facts and circumstances available on the file, as well as, the submissions made by counsel for the State, this Court does not find it appropriate to interfere in the matter so as to grant concession of anticipatory bail to the petitioner.

Dismissed.

(Rajbir Sehrawat)
Judge

25.09.2023
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No