

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

CRM-M-52072 OF 2023

DATE OF DECISION: 13.10. 2023

Lovepreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr.Kuldeep Singh Saini, Advocate,
For the petitioner.

Mr. Dhruv Dayal, Addl. AG, Punjab.

ARUN MONGA, J. (ORAL)

Instant petition has been filed under Section 438 of Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') seeking anticipatory bail in case FIR No.75 dated September 16, 2023 registered under Sections 379-B, 411 read with Section 34 of Indian Penal Code, 1860 (for short 'the IPC') at the Morinda, Police Station in Ropar.

2. Per FIR, on 14.09.2023 at about 7:30 a.m complainant Balwinder Kaur was going to Gurudwara Sheesh Ganj Sahib for paying obeisance. When she reached near Fauji Feed Factory, two unknown motorcyclists snatched her gold earrings, out of which one earring fell on the road and accused and his accomplice fled away with the earring. She also received injuries in the said occurrence. Initially FIR was registered against unknown persons, but on the basis of description of assailants, co-accused Jatinder Singh @ Golu arrested in this case was identified by complainant on September 16, 2023.

3. Learned counsel for the petitioner states that petitioner has been falsely implicated. He was not named in the FIR. He was not arrested from the spot. His name figured for the first time in the disclosure

statement of co-accused Jatinder Singh @ Golu. It is further contended that co-accused Jatinder Singh @ Golu is a friend of petitioner and he used his motorcycle in the said crime. Petitioner, being owner of the motorcycle, has been involved in present case falsely.

4. Per contra, learned State counsel, under instructions from ASI Surjit Singh, states that CCTV Footage proves the involvement of applicant/accused and his co-accused in the commission of offence. The motorcycle used in the commission of offence was recovered from the house of petitioner on the basis of disclosure statement suffered by co-accused Jatinder Singh @ Golu.

5. I have heard rival contentions of learned counsel for the parties and gone through the record.

6. In view of CCTV footage and photographs which were produced in Court, wherein two riders of motorcycle can clearly be seen, though of course the face of one driving the motorcycle, was covered but at this stage, no benefit can be given merely because the petitioner claims that the person with a covered face was not him, more particularly, when co-accused, who was pillion rider, has specifically named him during interrogation.

7. In view of the above, no ground for grant of pre-arrest bail is made out at this stage.

8. Dismissed.

9. Pending application(s), if any, shall also stand disposed of.

OCTOBER 13, 2023

Shalini

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ARUN MONGA)

JUDGE