

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-15-2024
Date of Decision:09.01.2024

Manjeet Singh @ Bittu ...Petitioner

vs.

State of Punjab ...Respondent

Coram : Hon’ble Mr. Justice N.S.Shekhawat

Present : Mr. Pankaj Garg, Advocate
for the petitioner.

Mr. I.P.S Sabharwal, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 438 Cr.PC with a prayer to grant anticipatory bail to him in case FIR No. 147 dated 01.08.2023, registered under Section 379-B, 411 of IPC Police Station Sidhwan Bet, District Ludhiana.
2. As per the case of the prosecution, the FIR in the present case was registered on the basis of the statement made by Ranjit Kumar, who stated that at about 7.30/8.00 P.M. on 31.07.2023, he was going on his cycle and had crossed the village Bhundri. In the meantime, two persons came on a motorcycle and snatched his mobile phone after threatening him. The complainant had seen one of them standing at Kotman Chowk. If the raid was conducted, he could be apprehended at the spot. Consequently, the raid was conducted and the petitioner was arrested on the same day i.e. on 01.08.2023.
3. Learned counsel for the petitioner contends that in the present case, the petitioner was not named in the FIR and the case was initially registered against unknown persons. During the course of investigation, Surjit Singh

suffered a disclosure statement and named the petitioner as one of the co-accused. Learned counsel for the petitioner next contends that the admissibility of the said statement is yet to be adjudicated by the trial Court. He further contends that even mobile phone, which was allegedly snatched by the accused, has already been recovered by the police from Surjit Singh.

4. On the other hand learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner.

5. I have heard learned counsel for the parties and perused the record.

6. It is not in dispute that Surjit Singh, who was named in the FIR has already been granted the concession of regular bail by this Court vide order dated 11.10.2023 (Annexure P-3) and the mobile phone of the complainant has already been recovered from him. Apart from that, at this stage, the only evidence against the present petitioner is the disclosure statement suffered by the co-accused in police custody.

7. Consequently, the present petition is allowed. The petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Section 438(2) of the Cr.P.C. It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 438(2) of the Cr.P.C.

(N.S.SHEKHAWAT)
JUDGE

09.01.2024
hitesh

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