

CRM-M-2184-2024

2024:PHHC:008712

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206 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-2184-2024

DATE OF DECISION:-23.01.2024

Lovepreet Singh @ Labhi

...Petitioner.

Vs.

State of Punjab

...Respondent..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. J.K. Singla, Advocate,
for the petitioner.

Mr. Shubham Kaushik, AAG, Punjab.

HARKESH MANUJA, J. (Oral)

1. Prayer in the present petition filed under Section 438 Cr.P.C., is for grant of anticipatory bail to the petitioner, in case FIR No.70 dated 31.05.2019, registered under Sections 307, 336, 353, 186, 212, 216-A, 148, 149 IPC and Section 25 of the Arms Act, 1959, at Police Station Jhunir, District Mansa.

2. The petitioner was implicated on the basis of disclosure statement made by one of the co-accused namely, Jaman Singh s/o Mohinder Singh with the allegations that 12 bore gun used in the incident was supplied by the petitioner.

3. Learned counsel for the petitioner submits that the petitioner is ready to submit himself before the Trial Court.

4. Reply by way of affidavit of Mr. Pritpal Singh (PPS), Deputy Superintendent of Police, Sub-Division Sardulgarh, District Mansa on behalf of respondent-State has been filed in Court today and the same is

taken on record. A copy thereof has been supplied to learned counsel for the petitioner.

While referring to the reply, learned State counsel opposes the prayer made by learned counsel for the petitioner and submits that without the assistance of petitioner, the occurrence could not have taken place as it is the petitioner, who supplied the weapon of the offence.

5. I have heard learned counsel for the parties and gone through the paper book and find substance in the submissions made on behalf of the petitioner.

6. In the reply, it has been mentioned that accused persons had snatched the cars and appended fake number plates on the cars, as such, offence under Sections 411, 473 IPC were also added.

At this stage, at the oral request made by learned counsel for the petitioner, offences under Sections 411 and 473 IPC (added later on) are ordered to be added in the head-note as well as in the prayer clause. Registry is directed to do the needful.

7. In the present case, the petitioner was never named in the FIR but was implicated on the basis of disclosure statement made by one of the co-accused namely, Jaman Singh for having supplied the weapon of offence. The petitioner is not involved in any other criminal case, besides he being a young boy and all the other co-accused already been granted the concession of regular bail by the Trial Court. The evidentiary value of the disclosure statement made by the co-accused namely, Jaman Singh needs to be gone into by the Trial Court as the confession is the only evidence against the petitioner.

8. Considering the aforesaid, the present petition is allowed and the

petitioner is directed to appear before the Trial Court on or before the next date of hearing and shall furnish his bail bonds/surety bonds, which shall be accepted subject to the satisfaction of the concerned court. Till then, no coercive steps be taken against the petitioner.

23.01.2024
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(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No