

Neutral Citation No.2024:PHHC:034478

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-3614 of 2024
Date of Decision:11.03.2024

Anil Kumar @ Danny
Vs.
State of Punjab

.....Petitioner
.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Ms. Kiranpreet Kaur, Advocate for the petitioner.

Mr. Amandeep Singh, DAG, Punjab.

DEEPAK GUPTA, J.

By way of present petition filed under Section 439 Cr.P.C., petitioner prays for grant of regular bail in case FIR No.0163 dated 19.08.2022 registered under Sections 379-B(2), 120B, 212 IPC (later on offences under Sections 411, 465, 467, 468, 471, 414, 201 IPC were added during the course of investigation) at Police Station City Sangrur, District Sangrur.

Status report by way of affidavit of Shri Manoj Gors, PPS, Deputy Superintendent of Police, Sub Division, Sangrur has been filed on behalf of the respondent- State alongwith the custody certificate. Perusal thereof would reveal that on 19.08.2022, a police party headed by ASI Kulwinder Singh received secret information that near Shahi Samadhan, Nabha Gate, Sangrur to the effect that 7-8 persons of Shamli (U.P) had formed a gang who were committing snatching of gold ornaments from ladies and old persons. They used to stay in poultry farm of Malkit Singh situated at Badrukhan – Ubhawal road, prior to and after committing the

crimes. They had kept different motor-cycles for commission of the crime and for fleeing from the spot. The names of members of that gang were also disclosed in the secret information, who included the petitioner Anil Kumar @ Danny. It was also stated that even on that day, two members of the gang were roaming on a motor-cycle bearing registration certificate No.CH01-BT-2790 in the area of City Sangrur and if a naka is laid, they could be apprehended. Finding the information to be reliable, the FIR was got registered. Nakabandi was laid. Two persons were found coming on their motor-cycle make Pulsar. They were stopped. The pillion rider succeeded in fleeing away. The person driving the motor-cycle was apprehended, who disclosed his name as Anil Kumar @ Danny i.e. Petitioner. He produced copy of the registration of Motor Cycle No.CH01-BT-2790 which was found to be in the name of Kamal Yadav son of Sat Narayan Yadav. His police remand was obtained. During interrogation, petitioner suffered a disclosure statement and based thereon, raid was conducted at the poultry farm of Malkit Singh. Co-accused Malkit Singh was arrested. Fresh police remand was obtained. On the basis of disclosure statement, suffered by the petitioner, a gold chain was recovered from him on 24.08.2022, which he along with accused Rajvir Singh had snatched from a woman going on a scooty and regarding which FIR No.66 dated 04.04.2022 under Sections 379-B, 323, 341/34 IPC had already been registered at Police Station City Sangrur. The disclosure statement of petitioner resulted into recovery of one more gold chain which he had snatched on 12.04.2022 along with co-accused Ashok Kumar, from a woman while she was going near BSNL Park, Sangrur and regarding which FIR No.71 dated 12.04.2022 had been registered at Police Station City Sangrur under Sections 379-B and 34 IPC. Petitioner further got recovered one mobile concealed by him in a Trunk in the room of poultry

farm of Malkit Singh. The complainants of FIR No.66 of 2022 and that of FIR No.71 of 2022 were joined in the investigation and both of them identified the petitioner to be the snatcher. During verification, the motor-cycle as recovered from the petitioner was found in the name of Kamal Yadav. His statement was recorded and he presented a copy of complaint earlier moved by him regarding snatching of the motor-cycle. He also placed on record original RC of the motor-cycle and it was found that RC produced by the petitioner was fake and so, Sections 465, 467, 468 and 471 IPC were also added. On completion of investigation, final report under Section 173 Cr.P.C has been filed. Status report also reveals the criminal antecedents of the petitioner, who is stated to be involved in as many as five other cases, all are of similar nature.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated on the basis of secret information; that the petitioner is in custody for the last more than 01 year, 06 months and 15 days and that the trial may take time to conclude and so, he be allowed bail.

Learned State Counsel has opposed the bail petition by pointing out towards the gravity of the offence and the criminal antecedents of the petitioner.

I have considered the submissions of both the sides.

Snatched gold chains pertaining to two cases have been recovered from the possession of the petitioner. Though, the petitioner is in custody for the last 01 year 06 months and 15 days, as per the custody certificate but he is involved in as many as 05 other cases, all of similar nature, as per the details given in the custody certificate, clearly indicating that the petitioner is habitual of committing such crimes of snatching. The offence of snatching under Section 379-B IPC is quite grave entailing punishment of ten years' imprisonment.

Having regard to all the afore-said facts and circumstances of the case, this Court is not inclined to grant benefit of regular bail to the petitioner.

Dismissed.

March 11, 2024
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No