

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

CRM-M-3675-2024

Date of Decision: 26.02.2024

Karanbir Singh

...Petitioner

vs.

State of Punjab

...Respondent

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

Present : Mr. Gagandeep Singh Bajwa, Advocate
for the petitioner.

Ms.Amrita Garg, Asst. A.G, 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. 150 dated 27.09.2023, registered under Sections 436,427,120-B,148,149 of IPC, Police Station City Batala, District Gurdaspur (Annexure P-1).
2. The FIR in the present case was registered on the basis of the statement made by Gurpreet Singh @ Gopi and the same has been reproduced below:-

“Statement of Gurpreet Singh @ Gopi son of Nishan Singh resident of Mardhi Kalan, Police Station Majitha. District Amritsar, at present resident of South City, Ummarpura, Batala, aged about 40 years. mobile No. 7827000013. Stated that I am the resident of above said address and I am working as General Manager of Rajinder Wine Firm since around five years. On dated 26.09.2023 as usually I went back to my home after closing down Wine Shop of Sibal Chowk office and Godown of Wine. Today dated 27.09.2023 at about 8:30 AM in the morning, when I came to open the shop and it was looking like that somebody has set the

fire in front of the shutter of the shop and I thought that somebody has set on fire on some papers. When I checked the CCTV Cameras installed in my office then I saw that some unknown persons were setting the fire by pouring the oil. One person was standing at the T-point and doing Rekki on phone, in the mean time one car colour black stopped near the unknown person who was doing Rekki. The person who was doing Rekki stopped near the car and the person who were on the motorcycle, set the fire, and thereafter, the person who was on motorcycle and the person who was doing Rekki sat in the car and all went away. On checking the Wine Shop, it was found that 48 bottles of Wine Santra and Whiskey of Cash, which were in plastic bottles got damaged. Legal action may kindly be taken.

3. Learned counsel for the petitioner contends that the FIR in the present case was registered against unknown persons and the petitioner has been falsely involved on the basis of the disclosure statement suffered by co-accused. Learned counsel further contends that the story projected by the prosecution in the present case is highly unbelievable and no recovery is to be effected from the present petitioner.

4. Additional affidavit of Senior Superintendent of Police, Batala, District Batala has been filed on behalf of respondent-State.

5. Learned State counsel submits that there are serious allegations against the present petitioner and during the course of investigation, the involvement of the petitioner in the present FIR has been established. Learned State counsel next contends that in fact, the petitioner had been committing such crimes on the instructions from Parminder Singh @ Pindi, who was arranging Visa, Money, Air Tickets etc. for them. Even Parminder Singh @ Pindi has been issuing directions to the petitioner and to make calls on whats-

app and Snap Chat etc. and to demand money from wine contractors. Learned State counsel next contends that apart from the present case, two more FIRs i.e. FIR No.112 dated 30.09.2023 under Sections 307,436,427,506,148 and 149 of IPC, Police Station Sadar, Batala and FIR No.173 dated 02.10.2023 under Sections 307,336 of IPC and under 25/27/54/59 of Arms Act have been ordered to be registered against the present petitioner with similar allegations. He further contends that one more FIR i.e FIR No.172 dated 17.05.2022 under Section 25 of Arms Act, Police Station Civil Lines, Amritsar was also registered against the present petitioner. Learned State counsel next contends that even the co-accused Parminder Singh @ Pindi is also a hardened criminal and is also facing the prosecution in the following four cases:- (a) FIR No.186 dated 22.09.2022 under Sections 153,153-A,120-B of IPC and under Section 25/54/59 of Arms Act, Police Station Tarn Taran (b) FIR No.18 dated 08.10.2023 under Sections 115,153,153-A,120-B of IPC,17,18,20 UAPA, 25,25 (7) Arms Act, Police Station SSOC Mohali, SAS Nagar. (c) FIR No.112 dated 30.09.2023 under Sections 307,436,427,506,148 and 149 of IPC, Police Station Sadar, Batala (d) FIR No.173 dated 02.10.2023 under Sections 307,336 of IPC, 25/27/54/59 of Arms Act, Police Station Kamboj.

6. Learned State counsel has referred Para 05 and Para 06 of the said affidavit, which are reproduced as below:-

“5.That, it is humbly submitted that from the perusal of the disclosure statement of Amanpreet Singh and Ramanbir Singh, accused Karanbir Singh (Petitioner) had left India and went to Dubai after committing the incident. Karanbir Singh had filed the present bail from foreign country. However as per the reliable sources it has been transpired that Karanbir Singh S/o Shamsher Singh R/o Wadala Kalan has gone to Dubai after committing the

crime in October 2023 from Lucknow Airport and the passport number S 1762458 of Karanbir Singh has been obtained from Passport Office and the travel history of accused Karanbir Singh and Parminder @ Pindi is being obtained vide memo No.8694 dated 20.02.2024 from the Joint Deputy Director/CFB, Bureau of Immigration, East Block. VIII, Level-V, Sector-1, R.K, Puram, New Delhi 110066. However as per the reliable sources it has been revealed that: accused Parminder Singh came from Dubai to Amritsar on 03.10.2023 and went back to Dubai from Amritsar on 04.10.2023 through Airline Air India 1X191. Accused Shubam had gone to Dubai from Chandigarh on 06.10.2023. Accused Hari Singh had gone to Dubai from Amritsar on 07.10.2023. Accused Karanbir Singh went to Dubai from Lucknow on 07.10.2023.

6.That, it is humbly submitted that the investigation regarding financial transaction is being carried out and FIU has been requested to provide the financial data base information of the accused vide office letter No.31-5A dated 14.02.2024 in this respect.

7. I have heard learned counsel for the parties and perused the record.
8. In the present case, it is apparent from the record that the petitioner was earlier facing prosecution in a case arising out of FIR No.172 dated 17.05.2022 under Section 25 of Arms Act, Police Station Civil Lines, Amritsar. Apart from that, two more cases of similar nature i.e FIR No.112 dated 30.09.2023 under Sections 307,436,427,506,148 and 149 of IPC, Police Station Sadar, Batala and FIR No.173 dated 02.10.2023 under Sections 307,336 of IPC and under 25/27/54/59 of Arms Act have been ordered to be registered against the present petitioner with similar allegations. Even there are similar allegations of demanding money from the Wine contractors in Punjab and it has been

alleged that the petrol bombs/packets containing petrol have been thrown on different liquor vends and shots have been fired outside the liquor vends just to extort money from the wine contractors.

9. Keeping in view the gravity of the offence as well as need for custodial interrogation of the petitioner, the present petition is ordered to be dismissed.

26.02.2024
hitesh

(N.S.SHEKHAWAT)
JUDGE

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