



CRM-M-11615-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No.219

Case No. : CRM-M-11615-2024

Date of Decision : July 23, 2024

Amrinderpal Singh

.... Petitioner

vs.

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE GURBIR SINGH.

* * *

Present : Mr.Kulwant Singh, Advocate
for the petitioner.

Ms.Avneet, AAG, Punjab.

* * *

GURBIR SINGH, J. :

1. Prayer in the present petition, filed under Section 439 Cr.P.C., is for grant of regular bail to the petitioner in case FIR No.102, dated 12.11.2023, under Sections 379-B, 34 IPC (Section 411 IPC added later on), registered at Police Station Daresi, Ludhiana (Annexure P-1).

2. The case in question was registered on the statement of one Ashok Thapar. He made statement that on 12.11.2023, he and grandson of his brother-in-law namely Mayank, were going to their home on Activa Scooty, carrying money from the sale of crackers. Mayank was driving the said Activa Scooty. At about 03:20 AM, they were way-laid by six persons, who were coming on two motorcycles. They threatened them at the point of *dattar* and snatched the amount collected by them as sale proceeds. They also snatched the complainant's Samsung mobile with SIM and Mayank's



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from the spot on their respective motorcycles.

3. Learned counsel for the petitioner has submitted that the petitioner is not named in the FIR. He is innocent and has been falsely implicated in the present case. He is in custody since 21.11.2023. The investigation is already completed. No recovery is to be effected from the petitioner. So, the petitioner be granted concession of regular bail.

4. Learned State counsel has opposed the petition on the ground that on 21.11.2023, the petitioner along with co-accused Karan Arora was arrested. Three mobile phones and *dattar* were recovered from the petitioner. Co-accused Pritam and Gaurav Gana, who were nominated on the basis of disclosure statements of the petitioner and co-accused Karan Arora, are absconding. PO proceedings have been initiated against them. Another co-accused Ravinder @ Jolly, who was already in jail, was brought on the production warrant and was formally arrested in the present case. However, the said co-accused has already been released on bail by learned Additional Sessions Judge, Ludhiana, vide order dated 24.04.2024. Learned State counsel has further argued that the petitioner is involved in five other criminal cases, out of which, three cases are *inter alia* under Section 379-B IPC, one case is *inter alia* under Section 307 IPC and one case is *inter alia* under Section 379 IPC.

5. Based on the afore-mentioned contentions, learned State counsel has submitted that the petitioner is not having a clean background and therefore, he does not deserve any leniency from the Court. So, the present bail petition deserves dismissal.

6. I have heard the arguments raised by both the sides and carefully



perused the case file.

7. The allegations levelled against the petitioner are very serious. The statements of complainant and eye-witnesses are yet to be recorded in the trial. The occurrence took place at about 03:20 AM. The hard earned money of the complainant, collected through sale of crackers, was snatched along with mobile phones of the complainant as well as grandson of his brother-in-law namely Mayank, who was driving the Aactiva Scooty. Even wallet of Mayank was also snatched. The co-accused Ravinder Singh @ Jolly has been released on bail but that cannot be considered as a ground to grant bail to the petitioner. It is well known that snatching, in the manner as took place, is talk of every town of Punjab. Despite stringent provisions, the police is not able to control incident of snatching. Considering the serious involvement of the petitioner in the crime and other cases registered against him, he is not entitled for bail, at this stage.

8. However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail petition.

9. Pending applications, if any, shall stand disposed of along with this judgment.

July 23, 2024
monika

(GURBIR SINGH)
JUDGE

Whether speaking/reasoned ?	Yes/No.
Whether reportable ?	Yes/No.