



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

240

CRM-M-23817-2024

Date of decision: May 30, 2024

GURPREET SINGH @ SAGAR

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Nitin Narula, Advocate
for the petitioner.

Mr. Shiva Khurmi, Assistant Advocate General, Punjab
with ASI Ashwani Kumar.

MANJARI NEHRU KAUL, J.

1. The instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.0048 dated 09.04.2024 under Sections 379B(2), 148, 149 of the Indian Penal Code, 1860, registered at Police Station Sultanwind, District Police Commissionerate Amritsar.

2. On the last date of hearing i.e. 15.05.2024, the State had been put to notice.

3. Learned counsel for the petitioner contends that the petitioner is innocent and has been falsely implicated in the present case along with the co-accused for allegedly attacking the complainant along with his accomplices with *datars* and *kirpans*, and thereafter, snatching his mobile handset along with some money. It has been asserted by the learned counsel that the petitioner's false implication in the present case finds due credence from the fact that though he had been named in the FIR in question, however, strangely, the FIR was not promptly lodged, even though the complainant was well-aware of the identity of the alleged assailants. He has further submitted that the petitioner has clean antecedents and now, no recovery is to be effected from him; therefore, he be extended the concession of anticipatory bail.

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4. *Per contra*, learned State counsel, while opposing the prayer and submissions made by the counsel opposite, on instructions, has submitted that the mode and manner, in which the petitioner along with the co-accused committed the crime in question i.e. inflicting injuries with lethal weapons like *datars* and *kirpans* upon the complainant, snatching and decamping with the mobile handset and money of the complainant, he did not deserve the concession of bail. The medical evidence on record also corroborated the allegations levelled in the FIR in question and furthermore, the custodial interrogation of the petitioner was required, as such like crimes had become rampant.

5. I have heard learned counsel for the parties and perused the relevant material placed on record.

6. *Prima facie*, there are serious and specific allegations against the petitioner, who was not only named in the FIR in question but also he, along with his accomplices, who were all armed with lethal weapons, inflicted multiple injuries on the person of the complainant, before fleeing away with his mobile handset and Rs.700/-. This Court concurs with the prayer made by the learned State counsel that the petitioner's custodial interrogation would be necessitated in view of the frequent occurrences of such crimes being reported daily.

7. Accordingly, the instant petition stands dismissed.

8. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

May 30, 2024*Jaspreet Kaur***(MANJARI NEHRU KAUL)****JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No