

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-36980-2024
Reserved on: 10.09.2024
Pronounced on: 27.09.2024

Gurpreet Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

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

Mr. Jasjit Singh, DAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
0195	02.11.2020	Sadar Rupnagar, District Rupnagar (Punjab)	379-B IPC

1. The petitioner incarcerated in the FIR captioned above had come up before this Court under Section 439 CrPC, 1973, seeking regular bail.

2. As per paragraph 10 of the reply, the accused has the following criminal antecedents:

Sr. No.	FIR No.	Date	Offenses	Police Station
1	17	14.01.2023	307, 331, 353, 186, 148, 149 IPC	City Faridkot, District Faridkot

3. The facts and allegations are being taken from the reply filed by the State, which reads as follows:

“That it is respectfully submitted that on 02.11.2020, the investigating officer-Incharge, Police Post Purkhali, Police Station Sadar Rupnagar, was present at bus stop Purkhali, for the purpose of patrolling, where he received information that an incident of snatching has been committed in the area of village Tapprian. Upon receiving the information, investigating officer reached at the spot, where complainant-Jagjit Singh son of Teja Singh, resident of village Ramgarh (Tapprian), approached him and got his statement recorded before said investigating officer, averring therein that he was octogenarian (aged about 87 years) and retired army personnel and on 02.11.2020, he was taking evening walk on the link road of his village and it was about 05:30 PM, and one i20 Car having black coloured roof stopped near him and he saw that two persona

and two children sitting in the car. It was further averred by the complainant- Jagjit Singh that one person from the front seat of car alighted and came to him and told him that he knew the complainant- Jagjit Singh and he also knew that your grandsons lives abroad and he then said that he unfortunately left his wallet at his house and he need some amount to get fuel for his car and he would return the amount later on. It was further averred by the complainant-Jagjit Singh that he in order to give some amount to said person, took out currency notes from his pocket, however, said persons snatched his entire amount i.e. Rs.47,000/- and sped away from the spot in aforesaid car. It was further averred by the complainant-Jagjit Singh that he could only read "9743" i.e the registration number of the said car and complainant-Jagjit Singh requested to take action in the matter."

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.

5. The State's counsel opposes bail and refers to the reply.

6. It would be appropriate to refer to the following portions of the reply, which read as follows:

"4. That it is further submitted that during investigation of the case, the CCTV cameras of the toll plaza on Rupnagar-Kurali road near village Beharpur Zimidara, were examined and from the examination, it was found that i20 car having black coloured roof bearing registration No.PB-04-AB-9743, had passed through the toll plaza. It is further submitted that from the verification of registration number of said car, it was found registered in the name of Nirvair Singh son of Kashmir Singh, resident of village Gujjar, Police Station Sadiq, District Faridkot. It is further submitted that during course of investigation of the case, aforementioned Nirvair Singh joined the investigation and it was revealed that the aforementioned car was given by Nirvair Singh on rent to Lovepreet Singh son of Satnam Singh, resident of House No.133, Street No.5, Rajindra Nagar, Amritsar, at the surety of petitioner-Gurpreet Singh (who is brother- in-law of Lovepreet Singh). It was further stated by Nirvair Singh (owner of the car) that the car was given by him for one month i.e. from 29.05.2020 to 29.06.2020, but Lovepreet Singh and petitioner- Gurpreet Singh neither give him any rent nor returned his car and in this regard, on 21.10.2010, said Nirvair Singh had also got lodged a report at Police Station Sadiq, District Faridkot. It is further submitted that from the revelation of Nirvair Singh and thorough investigation carried out in this case, it was found that petitioner-Gurpreet Singh and his father-in-law Satnam Singh were travelling in i20 car bearing registration No.PB-04-AB-9743, having black coloured roof, accordingly petitioner-Gurpreet Singh and Satnam Singh were arrayed as accused in the present case.

x

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x

9. That it is respectfully submitted that the complainant-Jagjit Singh has been examined before the Ld. Trial Court as PW-1, the investigating officer, who arrested the petitioner-Gurpreet Singh and his co- accused along with i20 car having black coloured roof bearing registration No.PB-

04-AB-9743, from Hotel H. K. Regency, Sector-52, Chandigarh, has been examined as PW-2 and the owner of Hotel H.K. Regency, who proved the presence of petitioner and his co-accused Satnam Singh in the hotel has been examined as PW-3 before the Ld. Trial Court. It is further submitted that Nirvair Singh, whose car was used by the petitioner-Gurpreet Singh and his co-accused and recovery witness namely ASI Surjit Singh are yet to be examined before the Ld. Trial Court.

Custody of the petitioner:

It is respectfully submitted that the petitioner-Gurpreet Singh was declared as Proclaimed Offender on 09.10.2023, by the Ld. Trial Court and now he is in custody since 22.03.2024. It is further respectfully submitted that the petitioner has wrongly mentioned his address in the present petition being resident of Rupnagar, whereas, he resident of District Faridkot.”

7. The petitioner snatched from an octogenarian, which, considering the frailty associated with age, amounts to cruelty.

8. A perusal of the bail petition and the documents attached prima facie points towards the petitioner's involvement and does not make out a case for bail. The impact of crime would not justify bail. Any further discussions will likely prejudice the petitioner; this court refrains from doing so.

9. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

10. **Petition dismissed.** All pending applications, if any, are disposed of.

(ANOOP CHITKARA)
JUDGE

27.09.2024
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Whether speaking/reasoned: Yes
Whether reportable: No.