

SUKHPREET ALIAS AMAN ALIAS SUKHA

... PETITIONER

Versus

STATE OF PUNJAB

... RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Raman Kumar, Advocate, for the petitioner.

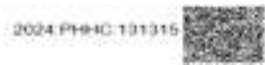
Mr. Adesh Pal Singh, AAG, Punjab.

SANJIV BERRY, J (ORAL)

By way of the present petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) the petitioner is praying for anticipatory bail in the event of arrest in FIR detailed as under (Annexure P-1) :-

FIR No.	Dated	Sections	Police Station
16	23.02.2022	379-B, 34 IPC (Section 411 added later on)	Sadar Phagwara, District Kapurthala

2. Argument heard.
3. It is, *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that the FIR was lodged after delay of about 4 months and no specific overt act has been attributed to the petitioner and the petitioner is



having no other case registered against him. He submits that petitioner is ready to join the investigation. Hence he prays for grant of anticipatory bail to the petitioner.

4. *Per contra* learned State counsel referring to the reply submitted by the State has assailed these arguments by submitting that the petitioner and co-accused Jaswinder Kumar @ Baba has been specifically named in the FIR on the allegation of snatching of ₹64310/- alongwith mobile phone and tablet on knife point, as such the petitioner do not deserve concession of bail. He prays for dismissal of the present petition.

5. After considering the arguments and perusing the record, it is transpired that as per the case of the prosecution, on 12.10.2021 Tejinder Kaur-complainant alongwith Navjit Singh were returning on Activa Scooter after making Bank recoveries, two youngmen came on motorcycle and waylaid them and pointed knife towards them and snatched keys of scooter and bag containing ₹64,310/-, mobile phone and tablet of the Bank and fled away from the spot. Admittedly, the petitioner and the co-accused were specifically named in the FIR and the recovery of the articles snatched is yet to be effected from the petitioner. Therefore, considering the nature and gravity of offence, no case is made out in favour of the petitioner for grant of anticipatory bail in the present petition, the same is hereby dismissed.

6. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

01.10.2024

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i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No