

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

212

CRM-M No.41527 of 2024
Date of decision: 30.09.2024

RAJINDER SINGH

.... Petitioner

Versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. N.S. Sodhi, Advocate for the petitioner.

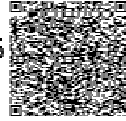
Mr. Amandeep Singh, D.A.G., Punjab.

MANISHA BATRA, J. (oral)

1. Prayer in this petition, filed under by the petitioner is for grant of anticipatory bail to the petitioner in case FIR No.4 dated 10.01.2024 registered under Sections 379-B, 294, 323, 341, 506, 148, 149 and 120-B of IPC at Police Station Phase-11, SAS Nagar.

2. Vide order dated 28.08.2024, passed by this Court, the petitioner was granted interim bail and was directed to join investigation. Order dated 28.08.2024, passed by this Court, reads as under :

“The instant petition has been filed by the petitioner seeking pre arrest bail in case arising out of FIR No.4 dated 10.01.2024 registered under Sections 379-B, 294, 323, 341, 506, 148, 149 and 120-B of IPC at Police Station Phase-11, SAS Nagar on the basis of statement recorded by the complainant-Raj Kumar alleging therein that he was interested to purchase to an old car to ply the same as a taxi. His friend Iqbal Singh had introduced him to Bittu Raj who showed willingness to sell his Swift Dezire car bearing registration

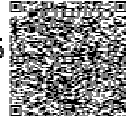


CRM-M No.41527 of 2024

-2-

No.PB-01-C-7681. The complainant purchased the same from him. The above said Bittu Raj had informed him that previously he had agreed to sell his car to the present petitioner for a sum of ₹1,15,000/-. The petitioner had agreed to pay the installments of loan amount as the car was hypothecated with Axis Bank. He failed to pay the installments and had given back the car to Bittu Raj. After purchasing the car from-Bittu Raj, the complainant started plying the same a taxi. On 17.10.2023, after dropping a passenger at PGI Chandigarh, while he was going back in his car, he was intercepted by the petitioner who was accompanied by 4-5 more persons and forcibly snatched the above mentioned car by physically assaulting the complainant and fled away. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved application for anticipatory bail before the Court of learned Additional Sessions Judge, Mohali. He was directed to join the investigation and was admitted to interim bail, however, since he failed to get the car recovered, therefore, his bail application was dismissed vide order dated 24.07.2024.

The present petition has been filed by the petitioner on the grounds and it is argued by his counsel that he has been falsely implicated in this case at the behest of Bittu Raj, Jagtinder Singh and Iqbal Singh, who have formed a gang and who are engaged in implicating innocent persons in similar matters. Two FIRs have been lodged on the basis of statements of members of the gang of Bittu



CRM-M No.41527 of 2024

-3-

Raj etc. In fact, the petitioner himself, is a victim of the complainant. The complainant and Bittu Raj had sworn affidavits with regard to the above said Swift Dezire car on 08.08.2023. On 29.03.2023, Bittu Raj sworn an affidavit in favour of the complainant qua sale of above said vehicle to him and about the receipt of a sum of ₹60,000/- from the petitioner. After extracting money, Bittu Raj had taken back car forcibly from the petitioner. The said car is either in possession of Bittu Raj or in Raj Kumar-complainant and not in his possession. He is ready to join the investigation. His custodial interrogation is not required and no recovery is to be effected from him. Therefore, it is argued that the petition deserves to be allowed.

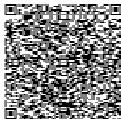
Notice of motion.

Learned State counsel who has appeared on advance notice of the petition, seeks time to file status report in the matter.

Adjourned to 30.09.2024.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

3. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined investigation on



CRM-M No.41527 of 2024

-4-

04.09.2024 and no recovery is to be effected from him. His custodial interrogation is not required.

4. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 28.08.2024, granting interim bail to the petitioner, is made absolute, subject to compliance of terms and conditions requisite for grant of anticipatory bail.

30.09.2024
Jyoti-IV

(MANISHA BATRA)
JUDGE

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