



CRM-M-41487-2024

-1-

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

214

CRM-M-41487-2024
Date of decision: 26th September, 2024

Sarpreet Singh @ Soppy
Versus
State of Punjab
...Petitioner
...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Malkiat S. Hundal, Advocate for the petitioner.
Mr. A.S. Samra, AAG, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short ‘BNSS’) seeking anticipatory bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
33	02.04.2024	Bhikhiwind, Tarn Taran	379-B(2)/148/149

2. As per the prosecution case, on 19.03.2024, at about 12:30 PM, the complainant Navjot Singh was going on his motorcycle from village Sursingh to Patti via Bainka, when he reached near a school existing at Behni Gurmukh Singh Road, six youths riding on two motorcycles without any number plate reached there and got his motorcycle stopped. They had

**CRM-M-41487-2024****-2-**

muffled faces. One of them pointed a pistol looking like thing towards the head of the complainant and another one snatched the bag which the complainant was wearing on his back. Another snatched his mobile phone and then all of them fled away. His ATM card, Aadhar Card, PAN card, credit card, Driving licence, original RC of motorcycle and cash amount of Rs. 8000-9000/- kept in the bag. The complainant alleged that subsequently he came to know that the petitioner along with the co-accused Gurjant Singh @ Soni and Inderjit Singh and his companions had committed the subject offence with him. After registration of FIR on 02.04.2024, investigation proceedings were initiated. The accused Gurjant Singh was arrested on 10.04.2024. On interrogation, he suffered disclosure statement, admitting his involvement in the subject crime and got recovered the snatched mobile phone. He also disclosed the names of the petitioner and co-accused Inderjit Singh as the persons who were involved with him. Offences under Sections 201 and 411 of IPC and Section 25 of Arms Act were added. The petitioner could not be arrested initially. Proclamation proceedings were initiated against him. Apprehending his arrest, present petitioner had moved an application for grant of pre-arrest bail before the Additional Sessions Judge, Tarn Taran which was dismissed vide order dated 07.06.2024.

3. 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. There is delay of fourteen days in registration of the FIR which has not been properly explained. Moreso, no explanation has been given by the complainant as to how he came to know about the names of the petitioner

**CRM-M-41487-2024****-3-**

and other accused since as per his own version, all the snatchers were having covered faces. The co-accused Gurjant Singh has been extended benefit of default bail. No recovery is to be effected from the petitioner. Though he is involved in three more cases but he is on bail in all those cases. His involvement in those cases cannot be considered to be ground for not extending benefit of bail to him. With these broad submissions, it is urged that the petitioner deserves to be released on bail.

4. Status report has been filed by respondent-State. It is argued by learned State counsel that there are specific and serious allegations against the petitioner. He is a habitual offender, since two more cases on the similar allegations of committing heinous crime registered against him. There are chances of his absconding or tampering with the prosecution evidence, if extended benefit of bail. Hence, it is urged that the petition does not deserve to be allowed.

5. I have heard learned counsel for the petitioner as well as learned State counsel at considerable length and have gone through the record carefully.

6. The petitioner is alleged to have found membership of an unlawful assembly with the co-accused and in prosecution of common object of that unlawful assembly, he is alleged to have snatched the belongings of the complainant from him on 19.03.2024. However, there is delay of fourteen days in reporting the matter to the police which has not been explained in the FIR. No recovery is to be effected from the petitioner.

No purpose would be served by detaining him in custody. He is on bail in



other cases which had been registered against him. Keeping in view the above discussed facts and circumstances of the case, I am of the considered opinion that the petition deserves to be allowed. Hence, the same is allowed and the petitioner is ordered to be extended benefit of anticipatory bail, subject to his surrendering before the learned trial Court within a period of one week from the date of passing of this order and on his surrender within that period, he shall be released on bail by the learned trial Court on furnishing bonds to its satisfaction.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.
8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

26th September, 2024
Parveen Sharma

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