



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

109

CRM-M-64340-2024

Date of decision: 19.12.2024

Lovepreet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.130 dated 19.09.2024 under Sections 304, 3(5) of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station Ghuman, District Gurdaspur.

2. Learned counsel for the petitioner submits that the petitioner's false implication in the present case is evident from the fact that he has no previous criminal antecedents; he was not apprehended when co-accused Jatinderpal Singh was allegedly nabbed by the villagers while attempting to flee after snatching the mobile handset and purse containing cash etc. of the complainant. It has been argued by the learned counsel that the disclosure statement on the basis of which the petitioner has been nominated as an accused in the present case has poor evidentiary value and on this ground alone he deserves to be extended the concession of anticipatory bail.



3. Notice of motion.
4. On asking of the Court, Mr. H.S. Deol, Sr. DAG, Punjab, accepts notice on behalf of the respondent-State.
5. Learned State counsel on instructions has reiterated the allegations levelled in the FIR in question which stands reproduced hereinunder:-

“Statement of Sonu Masih son of BiggoMasih Resident of Marad, Police Station Sadar Batala, Phone Number 9914357238, Stated that I am resident of above mentioned address and I am doing Labour work, today in the morning I along with my wife Binder Kaur riding upon our Motorcycle PB 18 P 3017 Paltina had gone to my in-law's village, in the evening when me and my wife Binder were coming back upon our Motorcycle Paltina to our village Marad, when we reached from Main Road to near Village Sakhowal then time would be around 4.30 PM, that from behind two Hindu youngsters riding upon Motorcycle bearing number PB08EL6665 CT-100 blue coloured vouched upon the Purse which was held by my wife Binder Kaur and fled away after snatching it towards Village Serowal from Village Sakhowal. I chased them upon my Motorcycle and told passer-by on the way, upon raising clamour, other peoples also gathered and started chasing them and both the motorcycle riders were encircled near Village Bhattiwal and the driver of the Motorcycle along with Motorcycle was nabbed, from whom my purse which was snatched from my wife was recovered, the youngsters sitting pillion upon the Motorcycle fled from the spot via Sugarcane fields. The youngster nabbed disclosed his name as Jatinderpal Singh alias Tindu son of Manjit Singh resident of Chaudhriwal and name of the youngster fled away was known as Lovepreet Singh son of Avtar Singh Resident of Cheema Khudi. From the purse of my wife Mobile Phone I Tell black coloured in which SIM Number 99143-57238 along with Rs. 20000/- was in cash. Which I had brought from my in-laws. That purse and Mobile has been found but the youngster who fled away has taken away sum of Rs. 20000/- nabbed youngster namely Jatinderpal alias Tindu, snatched purse along with Mobile has been produced to you, appropriate legal action may be initiated against them, I have recorded my statement, read over, it is correct. Signatures in Punjabi. Sonu Masih above named”



6. Learned State counsel, on instructions, has submitted that the petitioner has specifically been named in the FIR due to his identification at the scene of the incident. It has been further pointed out that, soon after the occurrence, the petitioner himself disclosed his identity when he was apprehended by the villagers.

7. Additionally, learned State counsel on instructions has submitted that the disclosure statement, made by co-accused Jatinderpal Singh, further implicates the petitioner. In his statement, the name of the petitioner emerged once again, corroborating his connection to the incident. Moreover, it has been asserted that both the petitioner and the co-accused came to the scene on a motorcycle, which is registered in the name of the petitioner. This fact, when considered along side the disclosure statement of the co-accused, leaves no manner of doubt about the involvement of the petitioner in the commission of the alleged offence.

8. Learned State counsel has also emphasized that it was the petitioner who fled from the scene with the bag of the complainant containing cash, further substantiating his role in the crime. It has been, therefore, asserted that these facts, taken together, clearly indicate the active participation of the petitioner in the alleged offence.

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

10. In the facts and circumstances as enumerated hereinabove, no ground is made to extend the extraordinary concession of anticipatory bail to the petitioner. Accordingly, the instant petition is

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hereby dismissed.

11. 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.

19.12.2024

(MANJARI NEHRU KAUL)
JUDGE

Vinay

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No