



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

127

CRM-M-414-2025

Date of decision: 09.01.2025

Harjit Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Abdul Aziz, 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.194 dated 04.12.2024 under Sections 304(2) of Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS') (Sections 351(3), 317(2), 238 of the BNS added lateron), registered at Police Station Amargarh, District Malerkotla.

2. Learned counsel for the petitioner inter alia contends that the petitioner has no criminal history and is a victim of false implication. It has been further submitted that the recovery of the allegedly snatched amount already stands effected from the co-accused, who has since been extended the concession of regular bail. It has been further submitted by the learned counsel that he is willing to make good the amount allegedly snatched from the son of the complainant.

3. I have heard learned counsel for the petitioner and perused the relevant material on record.

4. Before proceeding further, it would be apposite to notice



CRM-M-414-2025

-2-

the contention of the learned counsel that he has no criminal antecedents, is patently false as it has been averred in the petition itself that he is facing trial in one case FIR No.19 dated 30.01.2021 under Sections 302, 20 34 of the IPC registered at Police Station Kotwali Nabha, District Patiala. Pertinently, the petitioner was on bail when he participated in the crime in question. It would also be relevant to reproduce the contents of the FIR in question which has been reproduced in the body of the petition:-

“Copy of statement:- Statement of Lakhwinder Singh son of Ashok Kumar resident of Saroud, PS Sadar Ahmedgarh, District Malerkotla aged about 38 years mobile no.99519-78000. Which is as under. Stated that I am resident of above mentioned address and I am running a business of Punjab State Lottery System near Gurdwara Singh Sabha main road Nabha Malerkotla, Amargarh. Amandeep Kaur wife of Maninderpal Singh resident of Mullabadha, Lovepreet Kaur daughter of Shingara Singh resident of Jainpur and Jashanpreet Kaur wife of Amritpal Singh resident of Village Jhall, PS Amargarh are working at my lottery shop. Yesterday on 03.12.2024, due to my personal work I went to Bathinda and the girls who are working at my shop opened the shop and to watch out the shop I asked my adopted son Karan Singh son of Makhan Singh resident of Amargarh now resident of Bagrian, to collect the sale money of the day and took the same to his house at village Bagrian and to hand over the same to me on next day. That as per my saying, my adopted son (muh bola beta) went to the shop and collected the sale money of the day i.e. Rs.15,000/- and put the same in his pocket and asked the Amritpal Singh @ Amba son of Karamjit Singh husband of Jashanpreet Kaur who is working at my shop, to drop him at house as he is having sale money of Rs.15,000/- in his pocket. He told him that he will drop him after half an hour at his house. After half an hour at about 7.15 PM, above mentioned Amritpal @ Amba took my son Karam Singh on his motorcycle to his house, at 07.25 PM when my son Karan Singh along with Amritpal Singh @ Amba reached at the gate of Bias Ghar, Bagrian then Amritpal Singh @ Amba stopped his motorcycle where 02 unknown persons were already present there. They started abusing my son Karan Singh and Amritpal Singh @amba and they told my son that they know you are



*having cash with yourself, handed over the same to us, otherwise we will kill you. My son got frightened and told them that I have no cash, kindly let us go. Then one person from took out Rs.15,000/- from the right pocket of trouser of my son forcefully and ran away from the spot. Then my son Karan Singh asked the Amritpal Singh @ Amba to drop him at the house but instead of dropping him at house, the above mentioned Amritpal Singh @ Amba ran away from the spot leaving my son at the spot. After that my son reached at home with a passer by on his vehicle and he informed me all the incident through mobile phone. I have inquired myself and I have came to know that Amritpal Singh @ Amba son of Karamjit Singh resident of village Jhall along with his 02 companion Harbalbir Singh @ Mona son of Rajvir Singh and **Harjit Singh** son of Davinder Singh resident of Burj Bhagel Singh have snatched away the whole sale of one day i.e. Rs.15,000/- from the pocket of my son forcefully and under threat. A legal action be taken against them. In this regard I was on my way to the police station Amargarh along with my son. I met you near main gate of PS Amargarh. Statement have been recorded to you, heard, found correct. SD/- Lakhwinder Singh.....”*

5. A perusal of the FIR reveals that it was a meticulously planned crime wherein co-accused Amritpal Singh @ Amba along with the petitioner and another co-accused enacted a drama and thereafter carried out the crime in question. In the facts and circumstances as enumerated hereinabove, the petitioner does not deserve the extraordinary concession of anticipatory bail. The instant petition stands dismissed accordingly.

6. 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.

09.01.2025

Vinay

(MANJARI NEHRU KAUL)

JUDGE

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