

2025:PHHC:058240



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

CRM M-15512 of 2025

Date of Decision: 08.04.2025

Hari Singh

...Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. B.S. Jaswal, Advocate, for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the present petition under Section 482 of the Cr.P.C. with a prayer to grant anticipatory bail to him in case FIR No.150 dated 27.09.2023 registered under Sections 436, 427 and 120 of IPC at Police Station City Batala, District Gurdaspur.

2. The FIR in the present case was registered on the basis of the statement made by Gurpreet Singh @ Gopi and the same has been reproduced below:-

“Statement of Gurpreet Singh alias Gopi son of Nishan Singh, resident of Mardi Kalan, Police Station Majitha, District Amritsar, at present resident of South City,

Umarpura Batala, aged 40 years, M.No. 7827000013. Stated that I am a resident of the abovesaid address and I have been working as a General Manager in Rajinder Wine Firm since about 05 years. On dated 26-09-2023, I went to my home as usual after getting closed the office of THEKA SIBAL CHOWK AND ALCHOAL GODOWN. Today on dated 27-09-2023 time about 8:30 A.M in the morning as usual I opened the Theka and I saw that someone had set a fire in front of the Theka Shutter, but I thought that may be someone had set the fire on paper etc. When I checked the CCTV camera installed in my office, I found out that the fire was set by an unknown person who had put oil on it, and another person was keep watching and roaming at T-point and making phone calls. And then black color car came and stopped near the persons who was roaming and watching and the person on the motorcycle had set the fire and person who was watched and roaming went away by sitting in that car. When I went to check inside the liquor store there were 48 bottles of desi liquor flavoured orange and whiskey due to the fire the plastic bottle were got destroyed. Legal action should be taken for damaging the liquor bottle by setting a fire. I have recorded the statement and heard which is correct. SD/-Gurpreet Singh @ Gopi, Attested by SD/- Pargat Singh, SI, PP Bus Stand Batala, Date 27-09-2023.”.

3. Learned counsel for the petitioner contends that the petitioner has not been named as an accused in the present case and has been nominated during the interrogation of Harmanpreet Singh and Arshpreet Singh, both the co-accused. He further contends that

the statement made by co-accused in police custody carried no evidentiary value and except that, there was no other evidence against the petitioner. He further contends that the petitioner had no concern with the allegations levelled by the complainant in the present case and in absence of any positive evidence, the custodial interrogation of the petitioner would not be required. He further contends that even though the petitioner has been nominated as accused in two other cases, i.e., FIR No. 18 dated 08.10.2023 under Sections 115, 153, 153-A and 120-B of IPC, Police Station Sadar Batala, District Gurdaspur and FIR No. 112 dated 30.09.2023 under Sections 436, 427 and 120-B IPC, Police Station Sadar Batala, District Gurdaspur however, the petitioner is on bail in both the cases.

4. On the other hand, a status report has been filed by way of an affidavit of the DSP, Sub-Division, City Batala and the same has already been taken on record. Learned State counsel submits that initially, the complainant thought that somebody might have put the waste papers on fire at the spot, however, when he checked the CCTV footage of the camera, he found that one person was conducting recce in the area and a motorcyclist reached at the spot and had lit the fire in front of the liquor vend and, thereafter, the motorcyclist as well as the car left the spot. Even the person, who was conducting the recce, had also got into the same car due to rise in the temperature in the shop and on account of fire lit near the shutter, some plastic bottles containing liquor had damaged. During the course of investigation, it

was found that Ransher Singh and Karanbir Singh were found involved in the present occurrence and were nominated as an accused. When the raid was conducted at the house of Karanbir Singh, he fled from the spot. Learned State counsel further submits that in the present case, the other accused are also missing and look out circulars in the name of accused, namely, Karanbir son of Shamshar Singh, Karandeep Singh son of Sukhwant Singh, Hari Singh (petitioner) son of Amanpreet Singh, Jugraj Singh son of Amrik Singh and Shubham Sharma @ Sahil @ Brahman were issued by the SSP, Office, Batala. He further contends that the occurrence had taken place at the instance of Parminder Singh @ Pindi, a well known gangster in the State of Punjab. Even, Parminder Singh @ Pindi was guiding and also providing visa, money or air tickets and expenses to various accused in the present case. He further contends that even the accused in the present case have foreign accounts and they may even abscond from the country. Learned State counsel further submits that on 08.10.2023, due to above look out circulars, the information was received from the Airport Authority, Lukhnow regarding Ramanbir Singh @ Fauji, who wanted to go to some unknown place. Even, Parminder Singh @ Pindi used to make phone calls to the owners of the liquor/wine shops by using Whatsapp and Snapchat Apps and used to extort money from them. Further, Parminder Singh @ Pindi has been arrayed as an accused in the present case. He further submits that the present

petitioner is an active member of notorious Parminder @ Pindi gang and is involved in two more following similar cases:-

“(i) FIR No. 18 dated 08.10.2023 under Sections 115, 153, 153-A and 120-B of IPC, Police Station Sadar Batala, District Gurdaspur and

(ii) FIR No. 112 dated 30.09.2023 under Sections 436, 427 and 120-B IPC, Police Station Sadar Batala, District Gurdaspur”.

Thus, being a habitual offender, the petitioner is not entitled to concession of anticipatory bail in this case.

5. I have heard learned counsel for the parties and perused the record.

6. In the present case, it has been alleged that the petitioner is an active member of gang of Parminder Singh @ Pindi. Moreover, sufficient evidence has been collected against the petitioner to show his involvement in the crime. Even, the illicit weapons, which might have been concealed by the present petitioner are yet to be recovered from him. Thus, keeping in view the gravity of the matter besides need of custodial interrogation, the present petition deserves to be dismissed.

7. Dismissed.

8. The above observations have been made only for the limited purpose of disposal of the present bail application and shall not be construed as an expression of opinion on the merits of the case.

08.04.2025	(N.S.SHEKHAWAT)
amit rana	JUDGE
Whether reasoned/speaking	: Yes/No
Whether reportable	: Yes/No