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

**CRM-M-11799-2025 (O&M)
Date of decision: 03.03.2025**

Vipan Kumar @ Vicky Gandhi

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

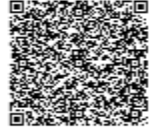
Present: Mr. Lajpat Rai Sharma, Advocate
for the petitioner.

Mr. Subhash Godara, Addl. A.G., Punjab.

HARPREET SINGH BRAR, J. (ORAL)

1. Present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No.26 dated 17.02.2025 under Section 13-A of the Public Gambling Act, 1867 and Section 112 of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station City Fazilka, District Fazilka.

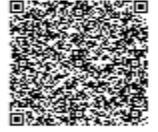
2. Succinctly, the facts of the case are that the FIR (*supra*) was



registered on the basis of an information received by ASI Malkit Singh that Jagambar Singh @ Jaggi, Sandeep, Karan, Rakesh Kumar @ Keshi and Sajan are habitual of writing betting numbers and they are sitting in public place near Multani Chungi at lonely place and are preparing to give bet slips to their respective traders/hawkers, namely Vicky Gandhi, Jagdish Singh @ Dishi, Prince Makkar, Karan Singh and Balkar Singh. They are involved in many other FIRs. If a raid is conducted, the accused persons can be apprehended along with huge amount of betting slips and currency notes can be recovered. Finding the aforesaid information to be trustworthy, a ruqa was sent to the police station through Jagsir Singh 1065 and the FIR (*supra*) was registered against the aforementioned accused persons.

3. Learned counsel for the petitioner, *inter alia*, contends that the petitioner was not present at the spot and he has been falsely implicated in the FIR (*supra*). There is no allegation against the petitioner that he induced anybody else to participate in the *darra satta* or he is habitual of similar offences. The case of the petitioner is on better footings than co-accused Balkar Singh, to whom, the concession of anticipatory bail was declined by this Court.

4. *Per contra*, learned State counsel appears on advance notice and opposes the prayer for grant of anticipatory bail to the petitioner on the ground that complicity of the petitioner is duly established. He has taken active participation in the alleged incident. Further, during the course of investigation,



offence under Section 112 of BNS has been added. The investigation is at the initial stage and custodial interrogation of the petitioner is required to unearth the truth.

5. Having heard learned counsel for the parties and after perusing the record of the case with their able assistance, it transpires that the petitioner has actively participated in the commission of offence. The investigation is at the initial stage, as such, custodial interrogation of the petitioner is imperative to ascertain the *modus operandi* and the manner, in which the illegal activities of betting (*satta*) are being carried out by the petitioner and other accused.

6. Keeping in view the facts and circumstances of the case, this Court finds no ground to grant the concession of anticipatory bail to the petitioner. Accordingly, the present petition is dismissed.

7. However, nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and learned trial Court shall decide the case on its own merits without being prejudiced by the observations of this Court.

03.03.2025
vishnu

[HARPREET SINGH BRAR]
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No