

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No. M-12323 of 2015
Date of Decision:-21.10.2015
...Petitioner

Gurcharan Singh @ Channa

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE SHEKHER DHAWAN

Present:- Mr. S.S.Sidhu, Advocate,
for petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

Mr. A.S.Sullar, Advocate,
for the complainant.

SHEKHER DHAWAN, J.

Present petition under Section 439 Cr.P.C. for grant of regular bail to the petitioner case FIR No.243 dated 08.07.2014 under Sections 147, 148, 149, 323, 342, 285, 356, 307 IPC, Police Station City Dabwali, District Sirsa.

Relevant facts of the case that on 08.09.2013 at about 9.30 pm complainant Arun Kumar was going to his house after after taking medicine. When he crossed railway crossing at Malout Road then Gurcharan Singh @ Channa, Vikrant and Bindu reached there. Petitioner Gurcharan Singh @ Channa was armed with *kapa*. Vikrant was armed with sword and they had caused injuries to complainant and his alarm attracted passersby and thereafter accused persons fled away. Injured was admitted to the hospital for treatment.

Learned counsel for the petitioner submitted that no fire arm injury had been attributed by the petitioner. Rather the allegations that

petitioner had given injury with 'butt' of the rifle to the victim and that is just not believable that anybody in possession of fire arm and with the intention to kill, would give injury with 'butt' of fire arm. More so, petitioner is in custody since 26.10.2014. So, he be released on bail.

Learned State counsel oppose the bail application and submits that petitioner had attacked the complainant with the intention to kill him and caused injuries. More so, petitioner is a hard core criminal who is involved in 8 such cases :-

FIR No./ Date	Offences	Police Station
199/01.07.2007	323, 324, 326, 506 IPC	City Dabwali
216/10.09.2011	148, 149, 323, 302, 307, 365 IPC & Arms Act	Sadar Dabwali
168/29.12.2013	307, 324 IPC	Lambi
321/20.09.2013	323, 341, 506, 185, 34 IPC and Arms Act	Sadar Dabwali
151/06.04.2012	323, 341, 506, 34 IPC	City Dabwali
199/01.07.2007	323, 324, 506 IPC	City Dabwali
322/20.09.2013	323, 341, 506, 34 IPC	City Dabwali
150/10.11.2012	148, 149, 323, 324, 452 IPC	Lambi

So the petitioner does not deserve the concession of bail and present petition be dismissed.

Having considered the above facts that petitioner was armed with deadly weapon like rifle and attacked the complainant and caused injuries. The entire evidence has already been appreciated. Previous conduct of petitioner also does not make out a case for his release on bail.

In view of the above, present petition being without any merit stands dismissed.

October 21, 2015

msd

(SHEKHER DHAWAN)
JUDGE