

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-19523 of 2015

Date of Decision: August 13, 2015

Prince

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Deepak Aggarwal, Advocate
for the petitioner.

Ms.Simsi Dhir Malhotra, Deputy Advocate General, Punjab
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C.
for grant of anticipatory bail in FIR No.83 dated 08.05.2015 under
Sections 307 and 34 IPC read with Section 25 of the Arms Act.
registered at Police Station Canal Colony, District Bathinda

Notice of motion was issued and learned State counsel
appeared and contested the petition.

I have heard learned counsel for the petitioner and have
gone through the record.

The brief facts of the prosecution case are that FIR in the
present case has been registered on the statement of Sukhdev Bajaj.

As per his statement, he along with Veer Singh was standing in front

of his shop. At about 12.50 P.M., Prince, who was driving the motorcycle and Pindi, who was sitting pillion and on another motorcycle, Jojo alias Jagjit Singh, who was driving the motorcycle and Ashu, who was sitting pillion, came and Jojo raised *lalkara* that Sukhdev Bajaj stopped them from taking liquor and then Ashu took out a pistol from his dub and fired upon Sukhdev Bajaj with an intention to kill him but he sat down. Then Ghajini alias Prince stated that 'you cannot do anything and give it to him' and then he handed over the pistol to Pindi, who fired towards the complainant but fire hit Dinesh @ Patta below his both knees. Then again Ghajini told that 'you can't do nothing give it to him'. In the meantime, people gathered at the spot and the accused ran away.

The fact that present petitioner was driving one of the motorcycle and his pillion rider shot a fire from the pistol and *lalkara* was raised by the present petitioner, shows active participation of the present petitioner in the commission of the offence.

Keeping in view the nature and gravity of the offence and also the fact that petitioner is required for custodial interrogation, I do not find it a fit case where petitioner is entitled to grant of bail.

Therefore, finding no merit in the present petition, the same is dismissed.

August 13, 2015
Vgulati

(INDERJIT SINGH)
JUDGE