

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

CRM-M-19584 of 2015 (O&M)
Date of decision: November 26, 2015

Ramphal Saini

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Kuldeep Khandelwal, Advocate for the petitioner.
Mr. Gaurav Dhir, Dy. Advocate General, Haryana.

Rajan Gupta, J.

This is a petition under Section 438 Cr.P.C. seeking pre-arrest bail in a case registered against the petitioner under Section 307 read with section 34 IPC and 25 of Arms Act at Police Station City Hisar, District Hisar, vide FIR No.344 dated 6.4.2015.

Learned counsel for the petitioner submits that petitioner has nothing to do with the alleged offences and he has been implicated falsely in the present case. As per affidavit of the complainant, no cognizable offence is made out against the petitioner. Thus, petitioner deserves the concession of pre-arrest bail.

Prayer has been opposed by learned State counsel on the ground that allegations against the petitioner are serious. He submits that petitioner after loading a country made pistol gave it to Amit, who fired at complainant with intention to kill him. Thus, petitioner does not

deserve the concession of pre-arrest bail.

I have heard learned counsel for the parties and given careful thought to the facts of the case.

FIR was lodged on the complaint of Rajesh who alleged that on 05.04.2015 at about 7.00 p.m., he received a call from Amit asking his whereabouts. Thereafter, Amit and co-accused came on their motorcycle to his office and called him outside and asked for money. As complainant refused, Amit fired a shot in the air with his licensed pistol. Thereafter, petitioner loaded a country made pistol and gave it to Amit. He fired at the complainant with intention to kill him. Firearm injuries were received by the complainant on the left wrist.

Keeping in view nature of allegations, petitioner is not entitled to concession of pre-arrest bail. The earlier bail application, preferred by the petitioner bearing CRM-M-14626 of 2015 was dismissed on May 12, 2015. No fresh ground has been agitated for seeking the concession of pre-arrest bail. Custodial interrogation of the petitioner may be necessary to take the investigation to its logical end. Petition is without any merit and is hereby dismissed.

(RAJAN GUPTA)
JUDGE

November 26, 2015
'Rajpal'