

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

CRM-25297-2015
Date of decision: 14.9.2015

Sukhwinder Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. P.S. Sekhon, Advocate for the petitioner.
Ms. Rajni Gupta, Addl. Advocate General, Punjab.

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 Sections 307, 341, 506, 148, 149 IPC and Section 25/27/54/59 of Arms Act at Police Station Sadar, Sunam, District Sangrur, vide FIR No.13 dated 30.1.2014.

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 due to enmity. He submits that no offence under section 307 IPC is made out as no one was injured in the alleged incident.

Learned State counsel (on instructions from ASI Jarnail Singh, who is present in court) has opposed the prayer on the ground that allegations against the petitioner are serious. He submits that petitioner alongwith co-accused fired many shots on the complainant. He also submits that pursuant to order dated August 05, 2015, petitioner has not joined the investigation. 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 statement of complainant Mandeep Singh who alleged that he was married with Prabhjot Kaur daughter of Baldev Singh of Lakhmirwala on 19.1.2014. He was driving Tata Safari car and at about 11.30 A.M., when his vehicle reached near his house, Sukhwinder Singh (petitioner herein) having a pistol in his hand, came in front of his car and signalled to stop. Bharat Singh and Karma Singh also came there. Bharat Singh and Karma Singh raised a *Lalkara* to teach him a lesson. Then petitioner Sukhwinder Singh fired a shot from his pistol at complainant and his friend with intention to kill. The bullet after crossing over their head hit the wall. Petitioner also fired two more shots. Co-accused Balwinder Singh also reached there and started firing on him.

Keeping in view nature of allegations, petitioner is not entitled to concession of pre-arrest bail. Admittedly, petitioner alongwith co-accused fired shots with their weapons. Besides, the petitioner has failed to join investigation pursuant to order passed by this court. The petition is without any merit and is hereby dismissed.

(RAJAN GUPTA)
JUDGE

14.9.2015
'Rajpal'