

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-26920 of 2015

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Date of decision:21.8.2015

Raj Kumar

...Petitioner

v.

State of Punjab

...Respondent

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Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Barnala, Advocate for Mr. Ritesh Pandey, Advocate for the petitioner.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.24 dated 30.3.2015 registered for the offences under Sections 307, 427, 148 and 149 IPC and Sections 25 and 27 of the Arms Act at Police Station Kathu Nangal, District Amritsar.

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

As per the prosecution case, the FIR has been registered on the statement of Tarsem Singh-complainant, who mainly deposed that Raj Kumar and his wife Sakshi Rani had taken ₹40 Lacs on one per cent interest. On non-payment of the amount and bouncing of the cheques issued by them, he filed a case in the Court. Raj Kumar filed false complaint against him. On 29.3.2015, when he was returning from Baba

[2]

Budha Sahib where he had gone to pay obeisance in his car, and reached near 'Behak' of Dilbagh Singh at about 7.15 p.m., Shakshi wife of Raj Kumar and her brother were standing there. They signalled him to stop. In the meantime, 5-6 persons in a Santro car came at that spot. Raj Kumar came out of the car and fired from his rifle upon him. Bullet hit the glass of his car and then hit his right arm. Then he sped away in his car. Raj Kumar and others fired upon him and such fire shots struck against his car and damaged the car.

Keeping in view the facts and circumstances of the present case and the allegations that Raj Kumar fired shot from his rifle and injured the complainant and further damaged his car, the weapon is yet to be recovered, the present petitioner is the main accused, he is required for custodial interrogation. Otherwise also, keeping in view the nature and gravity of the offences, the role attributed to the petitioner, he is named in the FIR and injury by fire arm weapon has been attributed to him, I do not find it a fit case where the present petitioner is entitled to the benefit of anticipatory bail.

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

August 21, 2015.

(Inderjit Singh)
Judge

hsp