

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**Criminal Misc.No.M-39813 of 2015
Date of Decision: November 27, 2015**

Gurpreet Singh @ Soni & Ors.

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr.Manuj Nagrath, Advocate,
for the petitioners.

Naresh Kumar Sanghi, J.(Oral)

Prayer in this petition, filed under Section 438, Cr.P.C., is for grant of anticipatory bail to the petitioners, Gurpreet Singh @ Soni, Bakshish Singh @ Babli and Manpreet Singh @ Mani, who have been booked for having committed the offences punishable under Sections 148, 307, 427, 452 and 506 read with Section 149, IPC, and Sections 25 and 27 of the Arms Act, in a case arising out of FIR No.152, dated 29.09.2015, registered at Police Station, Delhon, Ludhiana.

Learned counsel contends that in an absolutely false case, the petitioners have been booked; no person has received the injury and as such, the applicability of Section 307, IPC, would be a moot point during course of trial; no recovery is to be

effected from the petitioners, therefore, their custodial interrogation is not required; and that on account of counter case, the petitioners have been implicated.

I have heard learned counsel for the petitioners and with his able assistance gone through the material available on record.

As per the statement suffered by Surinder Kaur, the petitioners along with their co-accused armed with deadly weapons came to her (Surinder Kaur) house at 10:00 p.m on 28.09.2015. They knocked the door of the house of Surinder Kaur. On smelling the foul play, the door was not opened by the husband of the informant. One of the co-accused of the petitioners scaled over the wall and entered into the house of the informant. The informant and her husband did not open the door of the room. One of the co-accused of the petitioners fired a shot from the pistol which hit the wall of the house of the informant. The petitioners were stated to be armed with iron rods which was witnessed by the informant from the iron grills of the room. The allegations against the petitioners are serious in nature. It is not expected that at 10:00 p.m some one armed with deadly weapons would enter into the house of the aggrieved person and extend the threats. The custodial interrogation of the petitioners appears to be necessary in the present case.

No ground for grant of anticipatory bail to the petitioners is made out.

Dismissed.

November 27, 2015
seema

(Naresh Kumar Sanghi)
Judge