

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

(1)

CRM No.M-2584 of 2016 (O&M)

Akash Hans @ Gago and others

...Petitioners

VERSUS

State of Punjab

...Respondent

(2)

CRM No.M-7929 of 2016 (O&M)

Prabhjot Singh @ Star

...Petitioner

VERSUS

State of Punjab

...Respondent

Date of Decision:- July 13, 2016

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Navkiran Singh, Advocate
for the petitioners.

Mr.P.S.Grewal, Deputy Advocate General, Punjab
for the respondent-State.

Mr.Naveen Kaushik, Advocate
for the complainant.

INDERJIT SINGH, J.

Both the above-mentioned cases are taken up together being
arisen from same FIR.

Petitioners Prabhjot Singh @ Star, Akash Hans @ Gago,

Yashpal @ Pal, Tarlochan Singh @ Sunny, Neeraj Sharma @ Neeraj Pandit

and Gagandeep Singh have filed these petitions under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No.92 dated 08.09.2015 under Sections 307, 326, 324, 323, 506, 148, 149 and 379-B IPC and Section 25 of the Arms Act, registered at Police Station City Hoshiarpur, District Hoshiarpur.

Notice of motion was issued in both the petitions and learned State counsel as well as learned counsel for the complainant appeared and contested the petitions.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

From the record, I find that, in the present case, the FIR was registered on the statement of Sanjiv Kumar Chohan @ Minta. As per the allegations, Jatinder Kumar, worker of Vishav Hindu Parishad came to the complainant, who was organizing a langer from the side of Bajrang Dal and told him that his brother-in-law Prabhjot Singh @ Star was giving life threats to him. As per the FIR, all the petitioners are named in the FIR. All of them were armed with weapon and except petitioner Gagandeep Singh, injuries are attributed to all the petitioners. Though Gagandeep Singh was stated to be armed with danda, but no injury is attributed to him. He has also joined the investigation and not required for custodial interrogation. Nothing is to be recovered from petitioner Gagandeep Singh.

Keeping in view the above facts, I find that petitioner Gagandeep Singh is entitled to benefit of anticipatory bail. Therefore, petition qua petitioner Gagandeep Singh is allowed and the order dated 25.02.2016 granting interim bail to petitioner Gagandeep Singh is made absolute.

As regarding other accused, I find that petitioners Prabhjot

Singh @ Star, Akash Hans @ Gago, Yashpal @ Pal, Tarlochan Singh @ Sunny were armed with khanda each and petitioner Neeraj Sharma @ Neeraj Pandit was armed with revolver and injuries have been attributed to them. It is also in the FIR that after causing the injuries, they also took with them the licenced revolver of the complainant after snatching the same from him. All these petitioners are required for custodial interrogation.

Keeping in view the above facts and circumstance, I do not find it a fit case where petitioners Prabhjot Singh @ Star, Akash Hans @ Gago, Yashpal @ Pal, Tarlochan Singh @ Sunny and petitioner Neeraj Sharma @ Neeraj Pandit are entitled to benefit of anticipatory bail.

Resultantly, CRM No.M-7929 of 2016 stands dismissed and CRM No.M-2584 of 2016 stands allowed qua petitioner Gagandeep Singh and stand dismissed qua other petitioners Akash Hans @ Gago, Yashpal @ Pal, Tarlochan Singh @ Sunny and Neeraj Sharma @ Neeraj Pandit

July 13, 2016
Vgulati

(INDERJIT SINGH)
JUDGE