

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

**Criminal Misc.No.M-31923 of 2016 (O&M)
Date of Decision : 03rd October, 2016**

Harlaj Singh alias Tinku

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. G.S.Kaura, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. A.G., Punjab
for the respondent(s)-State.

Mr. Vineet Sharma, Advocate
for the complainant.

AJAY TEWARI, J. (Oral)

The petitioner has preferred the instant petition under Section 439 Cr.P.C., seeking regular bail in case FIR No.207 dated 25.05.2015, registered at Police Station A-Division, Amritsar, District Amritsar, under Sections 302, 307, 149, 148 IPC (Section 302 IPC added later) and Sections 25 and 27 of the Arms Act.

At this stage, learned counsel for the petitioner has argued that the petitioner has been in custody for the last 1½ years and even if all the allegations taken in the FIR, taken to be correct, it is clear that there was no enmity of the petitioner with the deceased and the assailants were looking for Mukha Pardhan and consequently, the present case is a case of

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accidental firing. Learned counsel for the petitioner has also argued that the charge has not been framed.

Learned State counsel, on instructions, has accepted these facts. However, learned State counsel as well as learned counsel for complainant have pointed out that the wound proves that it was not an accidental firing.

Without going into these facts, I do not deem it appropriate the accept the plea of the petitioner at this stage.

Accordingly, the instant petition stands dismissed.

03rd October, 2016
mamta

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No