

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-42355 of 2015

.....

Date of decision:30.8.2016

Navdeep Singh alias Neepa

.....Petitioner

v.

State of Punjab

.....Respondent

....

Present: Mr. R.S. Cheema, Senior Advocate with R.K. Trikha
Advocate for the petitioner.

Ms. Shivali, Assistant Advocate General, Punjab for the
respondent-State.

Mr. Iqbal S. Mann, Advocate for the complainant.

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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.101 dated 30.8.2015 registered
for the offences under Sections 302, 307 and 34 IPC and Sections 25 and 27
of the Arms Act at Police Station Sadar Sri Muktsar Sahib, District Sri
Muktsar Sahib.

Notice of motion has been issued in this case.

Ms. Shivali, learned Assistant Advocate General, Punjab has
put in appearance on behalf of the respondent-State and Mr. Iqbal S. Mann,
Advocate has appeared for the complainant and contested this petition.

I have heard learned senior counsel for the petitioner as well as

learned Assistant Advocate General, Punjab appearing for the respondent-State and learned counsel for the complainant and have gone through the record.

At the time of arguments, learned senior counsel for the petitioner argued that Navdeep Singh alias Neepa has also received injuries and even his leg was to be amputated. It has been further argued that in the statements of the witnesses now recorded under Section 161 Cr.P.C. version has been improved and as per the statements recorded under Section 161 Cr.P.C. of Santokh Singh and Sandeep Kumar, it has been stated that fire shot fired by Navdeep Singh did not hit Amritpal Singh (since deceased) as he fell down earlier due to receiving injury. I have perused the FIR.

On the other hand, learned counsel for the complainant argued that Navdeep Singh alias Neepa as per the medical record has not received any serious injury. Rather, his leg was to be amputated due to some infection etc. He further argued that the petitioner is named in the FIR and he was armed with 12 bore gun and he also used that gun.

Keeping in view the facts and circumstances of the present case, nature and gravity of the offences, I find that Navdeep Singh alias Neepa has been named in the FIR. He was armed with 12 bore gun which is a deadly weapon and he also fired from that gun and he played active role in the occurrence.

Keeping in view the facts and circumstances of the present case, I do not find it a fit case where the petitioner is entitled to the benefit of anticipatory bail.

[3]

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

August 30, 2016.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No