

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

CRM-M-35222-2017

Date of decision:-21.11.2017

Mohd. Iftkar @ Chintu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Mr. Sumeet Puri, Advocate
for the petitioner.

Mr.Kirat Singh Sidhu, DAG, Punjab.

H.S. MADAAN, J.

This petition for regular bail has been filed by Mohd. Iftkar @ Chintu – accused in FIR No.59 dated 11.6.2014, under Sections 307, 506, 201, 148, 149 IPC and Section 25 of Arms Act registered with Police Station City – II, Malerkotla.

Briefly stated, the prosecution story is that on 10.6.2014 at about 11:45 p.m., complainant Abdul Rashid son of Mohd.Sadiq, Muslim, resident of Eidgah Road, Malerkotla, aged about 25 years along with his brother Mohd. Yasin and cousin brother Liaqat Ali were talking with each other while standing in the street in front of the gate of his house; that in the meanwhile a white coloured car firstly passed them, thereafter

returned back and halt near them; that the car was being driven by Mohd.Asgar having occupants Shehbaz and Iftkar; that Iftkar @ Chintu was having illegal pistol; that Mohd.Wasim armed with sword; that all of them came out of it and Shehbaz raised a lalkara; that Mohd. Iftkar @ Chintu fired from the illicit gun at complainant, who got down promptly; that then the assailants ran away from the spot while issuing threats; that the complainant and his brothers entered their house and did not come out of the house due to late night hours as a result of fear. After registration of the FIR, the matter was investigated. The accused including present petitioner were arrested in this case. The petitioner had moved an application for regular bail, which was dismissed by learned Additional Sessions Judge, Sangrur vide order dated 7.9.2017, as such he has approached this Court asking for similar relief.

Notice of the petition was given to respondent – State and counsel representing the State has put in appearance.

I have heard learned counsel for the parties besides going through the record.

Though fortunately nobody was hurt in the incident but accused carrying illegal weapon had fired a shot at complainant, who had miraculously escaped. Such things cannot be taken lightly more particularly when it comes out that the petitioner has got long criminal record inasmuch as he is involved in four other criminal cases i.e. FIR No.33 dated 7.4.2013, under Sections 326, 325, 323, 341, 506, 34 IPC, Police Station City-2, Malerkotla, FIR No.41 dated 28.4.2013, under Sections 452, 324, 323, 506, 148, 149 IPC, Police Station City-2,

Malerkotla, FIR No.104 dated 25.4.2017, under Section 22 of NDPS Act, P.S. Dera Bassi and FIR No.19/2013, under Section 307 IPC, P.S. City, Malerkotla.

The apprehension expressed by learned State counsel that in case, the petitioner accused is released on bail there is every possibility of his absconding and tampering with the prosecution evidence cannot be brushed aside lightly. The trial against him is going on. In case, the petitioner is found to be innocent, he would be acquitted but no case for grant of regular bail to him is made out. Therefore, the petition is dismissed.

However, while parting the discussion, the trial Court is directed to make earnest endeavour for expeditious disposal of the trial by granting short dates and conclude the same preferably within a period of six months from the date of receipt of certified copy of this order.

21.11.2017
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No