

..

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-36294-2017

Date of Decision:- September 27, 2017

Gurjot Singh Sidhu

....Petitioner

Versus

State of Union Territory, Chandigarh

.... Respondent

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. J.S.Mehndiratta, Advocate,
for the petitioner.

SHEKHER DHAWAN, J.

Present petition under Section 438 Cr. P.C., for pre-arrest bail in case bearing FIR No. 139 dated 17.07.2017 registered under Sections 147, 148, 149, 323, 341, 506 and 34 IPC and Section 25 of the Arms Act, 1959 (for short, "the Act"), at Police Station Sector 26, Chandigarh.

2 As per the prosecution story, on 17.7.2017, complainant Sumit along with his friends, was going to a college for admission of one of his friends, namely, Rohin in a Car. When they reached roundabout of Sectors 27-28, 29-30, Chandigarh, a Fortuner car came from back side and stopped ahead of the complainant's car. Parminder Singh alighted from the Fortuner car, who was armed with fire-arm. Jatinder Singh, armed with a *gandari* and 3-4 other boys, armed with iron rods, *dandas* also came out of the Fortuner. Meanwhile, present petitioner, namely, Gurjot Singh Sidhu, armed with baseball, along with 3-4 other boys arrived there in another Car and raised a *lalkara* and all the accused bounced upon the complainant with their respective weapons and also

..

broke the glasses of their car. Jatinder gave blow on the head of Rajat and meanwhile general public gathered on the spot and accused-persons fled away from the spot.

3 Learned counsel for the petitioner contended that the the main allegations are against Parminder Singh and allegations qua the present petitioner are of raising of *lalkara* only. He is ready to join the investigation and he be released on pre-arrest bail.

4. Having considered the submissions made by learned counsel for the petitioner and after going through the file, this Court is of the considered view that as per material available on the file, the petitioner and his friends were armed with deadly weapons, like fire arm, gandasi, iron roads etc. and the petitioner himself was armed with baseball and caused injuries including injury on the head of Rajat. Thereafter, they had broken the Police naka at village Khuda Ali Sher, Chandigarh. The Fortuner car of the accused party also turned turtle near Saketri temple. On search of the said vehicle, two pistols were recovered from the Car.

5. In view of the above, no case is made out for releasing the petitioner on pre-arrest bail. The present petition stands dismissed.

6. Any expression of opinion appearing hereinabove is for the limited purpose of deciding this petition.

September 27, 2017
som

(SHEKHER DHAWAN)
JUDGE

Speaking/Reasoned
Reportable

Yes
No