

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

CRM-M-3974 of 2017

Date of Decision: March 07, 2017

Gurinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. T.P.S Tung, Advocate
for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab.

FATEH DEEP SINGH, J.

The allegations against the petitioner Gurinder Singh in this anticipatory bail application under Section 438 Cr.P.C are that a fight has ensued between Surinder Singh @ Pappi armed with a single barrel .12 bore gun, Sukhpreet Singh @ Sukha armed with iron rod, Amandeep Singh @ Amana armed with iron pipe and Harman Singh @ Hunny armed with iron rod who came in a car and assaulted complainant Ranjit Singh. As per the allegations of the prosecution Surinder Singh @ Pappi alleged to have fired hitting Pritam Singh and Ranjit Singh on the hand and stomach areas leading to registration of present case.

The contentions of the learned counsel for the petitioner that the petitioner has not been named in the FIR and it is subsequently at belated stage after almost three months of occurrence his name has been cropped up in the supplementary statement and, thus, no role could be attributed to him at the time of occurrence. Though, the factual scenario is

not disputed by learned State counsel but he has tried to oppose the same.

Appreciating the submissions and keeping in view the fact that the petitioner was neither named in the FIR nor any specific role has been attributed to him when the FIR has been registered and that the very veracity and credibility of such a statement which was made belatedly after three months of occurrence is subject matter of trial and that nothing is to be recovered from the petitioner, the present application is allowed. In the event of arrest of the petitioner, he be admitted to bail to the satisfaction of the arresting officer/Investigating Officer and that he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

(FATEH DEEP SINGH)
JUDGE

Match 07, 2017

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