

CRM-M-8229 of 2017

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

CRM-M-8229 of 2017
Date of Decision: 12.07.2017

Lakhwinder Singh @ Lakha

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Karan Bhardwaj, Advocate, for the petitioners.
Mr. B.S. Baath, DAG, Punjab.
Mr. G.S. Sandhu, Advocate, for the complainant.

RAMENDRA JAIN, J. (ORAL)

This order shall dispose of four petitions bearing numbers CRM-M-8229, 8991, 9215 and 9551 of 2017 under Section 438 Cr.P.C. moved by Lakhwinder Singh @ Lakha, Gurpreet Singh @ Gopi, Balwinder Singh @ Gandhi and Gursharan Singh, respectively for grant of anticipatory bail in case arising out of FIR No.146 dated 02.10.2016 under Sections 365, 341, 342,, 148, 149 IPC and 27 of the Arms Act, 1959 (Section 325 IPC added later on).

According to FIR, on 01.10.2016, while the complainant Gurmeet Singh was passing in front of the house of Sarpanch Manjit Kaur, mother of petitioner Lakhwinder Singh, accused Baljinder Singh dragged him inside

the house of Sarpanch Manjit Kaur. Thereafter, all the petitioners along with two other persons, namely Baljinder Singh and Balwinder Singh

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caused grievous injuries to the complainant and when he tried to escape from their clutches, petitioners Lakhwinder Singh and Balwinder Singh @ Gandhi fired gun shots upon him with their respective guns.

Learned counsel for the petitioner(s) contends that the petitioners have joined the investigation. No recovery has to be effected from them. They undertake to appear before the investigating officer as and when called in future or as may be directed by this Court or the trial Court.

Learned State counsel, on instructions from ASI Prem Chand, states that recovery has been effected, but the petitioners do not deserve concession of anticipatory bail as they caused nine injuries to the complainant, out of which injury No.9 has been declared as grievous.

Learned counsel for the complainant, assisting the learned State counsel, states at bar that he has no objection if the petitioners, namely, Gurpreet Singh and Gursharan Singh are granted bail. However, he has opposed the bail petitions qua Lakhwinder Singh and Balwinder Singh on the ground that they had fired upon the complainant and petitioner Lakhwinder Singh had also given butt blow on the nose of the complainant.

Heard.

Undisputedly, all the petitioners have joined the investigation. Two co-accused, namely, Baljinder Singh and Balwinder Singh have already been granted regular bail after their arrest. No recovery is to be effected from any of the petitioners nor they are required for further custodial interrogation.

Having considered the facts and circumstances of the case, the orders dated 10.03.2017, 16.03.2017, 17.03.2017 and 20.03.2017 passed by this Court are made absolute.

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Petitions stand disposed of accordingly.

However, anything observed hereinabove shall not be taken as an expression of opinion on the merits of the case.

July 12, 2017
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No