

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-1061 of 2018 (O&M)

Date of decision: May 21, 2018

Gurmeet Singh & another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. G.S. Kaura, Advocate for the petitioners.

Mr. Chetan Sharma, AAG, Haryana.

Mr. S.S. Brar, Advocate for the complainant.

Rajan Gupta, J.

This is a petition under Section 438 Cr.P.C. seeking pre-arrest bail in a case registered against the petitioners under Sections 323/34, 506/120-B IPC and Section 25 of Arms Act and Section 325 IPC added later on, at Police Station Sadar, Dabwali, District Sirsa, vide FIR No.322 dated 30.11.2017.

FIR was lodged by Ram Dass with the allegations that on 29.11.2017 at about 5.00 P.M., he alongwith Gopal Dass was sitting in front of his house. A car bearing No.HR-23-5281 came to the house of Kirat Singh Sarpanch and just after 5-7 minutes said car came to the complainant, from which three young boys alighted. The car remained started and its driver was sitting therein. Accused were having stick, iron rod and pistol in their hands. They assaulted the complainant by saying that he is Ram Dass. One accused caused him injuries with stick, another boy caused injuries with iron rod and the third person fired with pistol on him, but pistol did not

work. Then complainant was beaten with stick and iron blows. On hearing noise, Jaswinder Singh alias Jassi reached there and rescued the complainant from the clutches of the accused. Accused fled away from the spot by giving threat to kill the complainant in future. However, pistol of the accused fell at the spot.

I am of the considered view that allegations against the petitioners are serious in nature. It appears, petitioners were instrumental in causing injuries on the person of the injured. In such circumstances, petitioner would not be entitled to discretionary relief of pre-arrest bail. Petition is without any merit and is hereby dismissed.

However, in case after surrendering before the investigating agency, petitioners apply for bail, same shall be decided expeditiously.

(RAJAN GUPTA)
JUDGE

May 21, 2018
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No