

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

CRM-M No.22899 of 2018

Date of decision : 25.05.2018

Surat Singh

.....Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present : Mr. P. S. Brar, Advocate for the petitioner.

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DAYA CHAUDHARY, J. (Oral)

The present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in case FIR No.41 dated 03.04.2018 registered under Sections 307/323/506/148/149 of the Indian Penal Code, 1860 (for short – 'IPC') Police Station – Sadar Distt. Sri Muktsar Sahib.

Learned counsel for the petitioner submits that the petitioner has been falsely been implicated in the case, whereas there was no intention to cause any injury. As per the allegations in the FIR, the petitioner has been shown to be armed with 12 bore gun and injuries were on left leg, left lower thigh, abdomen, right side of lower chest, right leg and neck on the person of injured Mukhtiar Singh and no offence under Section 307 IPC is made out as the alleged gun was fired from a long distance and there was no intention to kill the injured.

Heard the arguments advanced by learned counsel for the petitioner and have gone through the contents of he FIR.

Intention is matter of evidence, which can be seen by the trial Court. No ground is made out to grant anticipatory bail. Accordingly, the present petition stands dismissed.

However, if the petitioner surrenders before the lower Court and moves application for regular bail within a period of three days, the same shall be decided by the lower Court in accordance with law within a period of one week thereafter.

25.05.2018

sunil yadav

**(DAYA CHAUDHARY)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No