

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

**CRM-M-37007-2018
Date of Decision: 28.08.2018**

Lakhwinder Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Puneet Kumar Bansal, Advocate,
for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Prayer in the instant petition under Section 438 Cr.P.C. has been made for grant of anticipatory bail in case FIR No.64, dated 27.04.2018, registered under Sections 307/336/506/148/149 IPC and 25/27 of the Arms Act, 1959, at Police Station Makhu, District Ferozepur.

According to the prosecution, the petitioner along with his accomplices, namely, Pishora Singh and Rasal Singh forcibly and illegally tried to pass their tractor trolley loaded with river sand illegally excavating from the river bed from the land of the complainant. When the complainant refrained the petitioner and his accomplices not to spoil his land, on the asking of the petitioner, Kashmir Singh @ Bura armed with 12 bore gun, Khajan Singh armed with 315 bore riffle, Gurpreet Singh having a revolver and Satnam Singh having 12 bore gun came on the spot and started firing towards the complainant with an intention to kill him, who saved his life by hiding himself in a toilet. Thereafter, even after hiding of the complainant and bolting the door from inside, the accused kept throwing brickbats.

Learned counsel for the petitioner *inter alia* contends that the petitioner was empty handed at the time of occurrence. Therefore, no recovery

has to be effected from him. No specific role has also been attributed to the

petitioner. His custodial interrogation is not required.

Having considered the submissions made by learned counsel for the petitioner, I find that the instant petition is completely devoid of any merit in view of the fact that the petitioner is the root cause for the entire episode, who initially tried to illegally trespass into the land of the complainant and when the complainant asked him not to do so, the petitioner called his companions aforementioned and with their help tried to kill him.

Dismissed.

28.08.2018
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No