

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-3937 of 2018

Date of Decision: March 15, 2018

Charanjit Singh @ Charna

.....Petitioner

versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL**

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Present: Ms. G.K. Mann, Advocate  
for the petitioner

Mr. Kirat Singh Sidhu, DAG Punjab

Mr. Mandeep Kaushik, Advocate  
for the complainant

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**Sudhir Mittal, J. (Oral)**

The petitioner seeks regular bail in case FIR No. 102 dated 27.08.2016, registered at Police Station Hathur, District Ludhiana under Sections 302, 307, 324, 148, 149 IPC (Section 326 IPC added later on) and Sections 25/27/54/59 of Arms Act, 1959.

Learned counsel for the petitioner contends that as per the contents of the FIR the petitioner and Sukhpal Singh fired at deceased Heera Singh and the petitioner was alleged to have been armed with a pistol. The MLR of Heera Singh reveals that 315 bore bullet was found from his body and therefore, the petitioner can not be said to have killed Heera Singh. Further, it has been contended that the FIR is a cross-case and the petitioner party has caused fire arm injuries resulting in registration of an FIR *inter alia* under Section 307 IPC. Reliance has also been placed upon bail granted to one Gurarmit Singh co-accused.

On the other hand, learned State counsel submits that the petitioner and two others are alleged to have fired at Balbir Singh and Heera Singh and both have died. Merely because the death of Heera Singh has been caused with 315 bore

rifle does not absolve the petitioner as the shot fired by the petitioner may have killed Balbir Singh. The petitioner has not placed on record MLR of said Balbir Singh to bolster her argument that petitioner was in no way involved in the murder. It is further submitted that there are two other FIRs pending against the petitioner and, therefore, it would not be safe to release him on bail.

The contents of the FIR revealed that the petitioner and his co-accused had fired shots at the deceased persons. The petitioner was armed with a pistol and his weapon may not have hit Heera Singh but it may have hit Balbir Singh and caused his death. In any case, the petitioner is one of the main accused in this FIR. Existence of cross-case against the complainant party would not absolve the petitioner from the offence committed by him. The ground of bail to Gurarnit Singh does not help the petitioner as said Gurarnit Singh has not caused any injury. Moreover, there are two other FIRs registered against the petitioner and he seems to be a habitual criminal.

Under the circumstances, it is not a fit case for grant of regular bail to the petitioner.

The petition is dismissed at this stage.

March 15, 2018

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**[SUDHIR MITTAL]**  
**JUDGE**

**Whether speaking/reasoned : Yes/No**

**Whether Reportable : Yes/No**