

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

CRM-M-4860-2018 (O&M)

Date of decision: 19.03.2018

Yadwinder Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. G.S. Nahel, Advocate for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

Mr. J.S. Moudgill, Advocate for the complainant.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

Present petition has been filed under Section 439 Cr.P.C. seeking benefit of regular bail to the petitioner pending trial in case FIR No.190 dated 04.12.2017, under Sections 307/336/323/34 IPC and Sections 25/27 of the Arms Act, registered at Police Station Lehra, District Sangrur.

FIR came to be registered on the statement of Gurdeep Singh @ Tinku in relation to an alleged occurrence dated 04.12.2017.

As per complainant's version, while he was proceeding along with his mother during morning hours, a Bolero car intercepted them. Apart from the present petitioner, other occupants of the car were co-accused Manmohan Singh @ Mohna, Gurpreet Singh @ Bugri and Komaljeet Singh @ Bugna. Co-accused, Manmohan Singh @ Mohna is stated to have fired from a 12 bore pistol which hit the complainant on his right thigh. Gurpreet Singh @ Bugri is alleged to have inflicted iron rod blows also on the right leg of the complainant.

Counsel representing the petitioner would vehemently argue that even as per version of the complainant, present petitioner had remained seated inside the car and as such, no injury on the person of the complainant is attributed to him.

Learned State counsel as also counsel representing the complainant would oppose the prayer by submitting that on account of injuries suffered in the occurrence, right leg of the complainant had to be amputated.

The role attributed to the present petitioner is that of exhortation/lalkara. As per prosecution version, the offence is stated to have been committed in furtherance of a common intention.

Mother of the complainant is stated to be an eye witness of the occurrence and who is yet to be examined.

Against the serious allegations and gravity of the offence, this Court is not inclined to extend in favour of the petitioner, benefit of bail at this stage.

Petition is dismissed.

19.03.2018

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |