

**In the High Court for the States of Punjab and Haryana
at Chandigarh**

(I)

**CRM-M No.3492 of 2019
Date of Decision: 08.04.2019**

Veerpal Ram

....Petitioner

Vs.

State of Punjab

....Respondent

(II)

CRM-M No. 3576 of 2019

Sandeep Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Ashok Kumar Khunger Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

GURVINDER SINGH GILL.J. (Oral)

This order shall dispose of the aforesaid two petitions filed on behalf of the petitioners Veerpal Ram and Sandeep Singh, seeking grant of anticipatory bail in respect of a case registered vide FIR No.114 dated 16.12.2017 under Sections 307, 353, 186, 427, 148, and 149 IPC, 1860 and Sections 25, 27 of Arms Act, 1959 registered at Police Station Sadar Abohar, District Fazilka.

The FIR was registered at the instance of Head Constable Nirmal Singh, wherein it has been alleged that on the day of occurrence, he along with Head Constable Bhupinder Singh, Head Constable Indraj and Head Constable

Gurmai Singh was present in connection with checking of illicit liquor. When the police party was present in the area of Chanan Khera, two persons were seen lifting some articles and when the police party confronted them, they raised noise and pursuant to which 20-25 persons hiding by the side came there carrying sticks and kirpans and damaged the vehicle of the police party by breaking glass. It is alleged that they also tore shirt of Head Constable Bhupinder Singh. One of them namely Raju is alleged to have fired at the complainant but the shot missed him. Upon hearing noise, persons in the vicinity gathered there and accused ran away from the spot. It is alleged that out of the said assailants, the complainant was able to identify Sandeep Singh, Jangi, Lakhu, Kuldeep Singh @ Deepi, Deepa @ Mandeep, Sheru and Veerpal who were known to him earlier.

Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in the present case and that it is unlikely that the police party would not be able to catch hold of any of the alleged assailants. It has further been submitted that although allegations have been levelled that one of the co-accused had fired at the police party, but since none has been injured, no case under Section 307 is made out.

Opposing the petition, learned State counsel has submitted that since the petitioners have been specifically named in the FIR, no case for grant of anticipatory bail is made out. It has, however been informed that the petitioners have since joined investigation.

Having regard to facts and circumstances of the case and bearing in mind the fact that no injury has been caused to any member of the police

party and also that the petitioners have already joined investigation, the petitions, as such, are accepted and interim directions issued vide order dated **25.01.2019** are made absolute subject to the condition that the petitioners shall appear and join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

08.04.2019	(Gurvinder Singh Gill)
Ali	Judge
Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No