

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

CRM No.M-10725 of 2019 (O&M)

Date of Decision: April 30, 2019

Bikar Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.B.S.Kathuria, Advocate
for the petitioner.

Ms.Monika Jalota, DAG, Punjab
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this third petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.12 dated 14.01.2018 under Sections 307, 452, 336, 323, 324, 325, 427, 506, 148, 149 IPC and Section 25 of the Arms Act, registered at Police Station Chhehrata, District Amritsar.

Notice of motion was issued. Learned State counsel appeared and contested the petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that FIR was got registered by Harpal Singh @ Mintoo. The present petitioner is named in the FIR and stated to be armed with 12 bore double barrel gun. He fired shot from his double

barrel gun with an intention to kill the complainant but the fire shot hit on the wall and its pellets hit on the face and chest of the complainant and thereafter, one unidentified person gave brick blow, which hit on the right side of forehead of the complainant.

Learned counsel for the petitioner argued that as per prosecution version, there are simple injuries by fire arm weapon and the FSL has found the gun as not working as its pin was shortened. Learned State counsel contended that gun was not recovered immediately, rather, it was recovered after about two days and in the meantime, it was tampered with by the accused.

The perusal of the record shows that case is at preliminary stage. Charges have not been framed yet. The present petitioner is the main accused and there is every chance of tampering with the evidence if he is released on bail. At this stage, no ground is made out for granting benefit of regular bail to the petitioner.

Therefore, finding no merit in the present petition, the same is dismissed.

April 30, 2019
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No