

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-12697 of 2019

Date of decision:08.05.2019

Harpreet Singh

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Rajesh Bhatheja, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior Deputy Advocate General, Punjab
for the respondent-State.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case DDR No.26 dated 2.12.2018 registered for the offences under Sections 307, 336, 148 and 149 IPC and Sections 25 and 27 of the Arms Act, 1959 recorded in FIR No.191 dated 1.12.2018 at Police Station Dharamkot, District Moga.

Notice of motion was issued in this case.

Mr. Dhruv Dayal, learned Senior Deputy Advocate General, Punjab has appeared on behalf of the respondent-State and contested this petition.

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

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As per the allegations, the present petitioner is named as Happy alias Mota, who was stated to be armed with a pistol.

The co-accused fired a shot at the complainant with his pistol which hit at the back side of complainant's right rib and in the meantime the remaining accused, who were armed with weapons, also fired shots in the air and the complainant fell on the ground. When he fell down on the ground then all the accused fled away from the spot.

Keeping in view the facts and circumstances of the present case, nature and gravity of the offences and the fact that the petitioner is named in the DDR armed with a deadly weapon and the allegation is that he also fired shot in the air and further in view of the fact that the pistol is still to be recovered, I find that the petitioner is required for custodial interrogation. Hence, I do not find it a fit case where the petitioner is entitled for the grant of anticipatory bail.

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

May 08, 2019.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No