

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-12685 of 2019

Date of decision:08.05.2019

Harpreet Singh

...Petitioner

v.

State of Punjab

...Respondent

....

**Coram: Hon'ble Mr. Justice Inderjit Singh**

.....

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

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

.....

**Inderjit Singh, J.**

The petitioner has filed this petition under Section 438 Cr.P.C.  
for grant of anticipatory bail in case FIR No.191 dated 1.12.2018 registered  
for the offences under Sections 307, 341, 336, 323, 148 and 149 IPC and  
Sections 25 and 27 of the Arms Act, 1959 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.

[2]

From the record, I find that the present petitioner, who is named as Happy alias Mota in the FIR, was stated to be armed with a 'Khanda'. As per the FIR, general allegations regarding causing injuries have been mentioned. As per the prosecution version Sukhwinder Singh alias Kamma and Nikka fired shots at the complainant from the country made pistols. Sukhwinder Singh alias Kamma fired a shot at the complainant with his country made pistol which hit at the back side of complainant's right lower leg. There is general allegation that other co-accused gave injuries with their respective weapons.

Keeping in view the facts and circumstances of the present case, nature and gravity of the offences and the fact that the 'Khanda' 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\*

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| <b>NOTE:</b> | Whether speaking/reasoned: | Yes |
|              | Whether reportable:        | No  |