

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

**CRM No.M-15223 of 2019 (O&M)
Date of Decision: April 10, 2019**

Sukhwinder Singh and another

...Petitioners

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

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

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

INDERJIT SINGH, J.

Petitioners have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.191 dated 01.12.2018 under Sections 307, 341, 336, 323, 148, 149 IPC and Sections 25 and 27 of the Arms Act, registered at Police Station Dharamkot, District Moga.

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

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

From the record, I find that FIR in the present case has been registered on the statement of Vikramjit Singh. As per the FIR, when the

complainant along with his friend Manpreet Singh @ Mani and Manpreet's brother Gurpreet Singh, after celebrating birthday, was going to Dharamkot via Bhinder Kalan in Terrano car, then from the front road, four motorcycles came on which, Nikka armed pistol, Happy @ Ravinder, brother of Nikka, armed with pistol, Sukhwinder Singh @ Kamma armed with pistol, Happy Mota armed with khanda, Sukhwinder Singh armed with iron rod along with 7-8 unknown persons armed with iron rods etc., blocked the road and started firing upon complainant side. Nikka, with the intention to kill the complainant, fired a shot at him with his country made pistol, which hit at the backside of right lower leg of the complainant. Sukhwinder Singh @ Kamma with the intention to kill the complainant, also fired a shot with his country made pistol, which hit the complainant on his right lower leg and consequently, he fell down. It is also in the FIR that when the complainant was lying on the ground, then the above accused persons gave him injuries with their weapons and he received injuries above his left ear, besides receiving received internal injuries and became unconscious.

Learned counsel for the petitioners contended that it is a case of version and cross-version. On the other hand, learned State counsel stated that petitioners have not received any firm arm injury.

From the perusal of the record, I find that petitioners are named in the FIR and are stated to be armed with deadly weapons and have taken active participation in the commission of the offence.

Keeping in view the facts and circumstance of the present case, nature and gravity of the offence, I find that petitioners are required for custodial interrogation and no ground is made out for granting benefit of

anticipatory bail to them.

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

April 10, 2019
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No