

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

**CRM-M-2785 of 2020
Date of Decision:-23.01.2020**

Gurmeet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Jagjit Pal Singh Sarao, Advocate
for the petitioner.

JASGURPREET SINGH PURI J.(Oral)

Petitioner-Gurmeet Singh has filed the present petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No. 184 dated 15.12.2019, under Sections 352 and 506 IPC read with Section 34 IPC and Section 25/27 of Arms Act, 1959, registered at Police Station Urban Estate, Patiala.

Learned counsel for the petitioner has argued that a false FIR has been registered against him because he was not even present at the place of occurrence.

However, perusal of the FIR would make it clear that a direct role has been attributed to the petitioner, wherein as per FIR, three boys had come altogether near Happiness Cafe, where one boy gave wrong signals and used bad language with the friend of complainant (Tarkeshwar Singh),

namely, Ravinder Kaur. It is further noticed in the FIR that the complainant tried to stop them but they misbehaved and one person took out pistol from underneath his shirt and pointed towards the complainant. As per FIR, the person, who had pointed out the pistol towards the complainant, was named as Goldy Goraya, who is also stated to be the petitioner.

After hearing learned counsel for the parties and after going through the contents of the FIR, it can be seen that it is a case where three boys had come in the Punjabi University, Patiala and there was some altercation with regard to giving allegedly wrong remarks made against one girl, who was accompanying the complainant. So far as pointing of a pistol by the petitioner towards the complainant is concerned, since there is direct attribution towards the petitioner, therefore, it is not a fit case where the concession of anticipatory bail can be given to the petitioner.

Consequently, the present petition is dismissed.

However, nothing expressed herein above shall be construed as an expression of opinion on merits of the case before the learned trial Court and the trial Court shall decide the case on the basis of available evidence on record.

January 23, 2020
Vijay Asija

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No