

1) CRM-M-9158-2019(O&M)
Date of decision: 13.02.2020

AMIT CHAUDHARY ...PETITIONER
VERSUS

STATE OF PUNJAB ...RESPONDENT

2) CRM-M-20321-2019(O&M)

MOHIT CHAUDHARY ...PETITIONER

VERSUS

STATE OF PUNJAB ...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Gursimran Singh, Advocate
for the petitioner(s) in both cases.

Mr. Balbir Singh Sewak, Addl. AG, Punjab.

VIVEK PURI, J. (ORAL)

Present petition are under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioners, namely Amit Chaudhary and Mohit Chaudhary in case FIR No. 66 dated 17.10.2018 registered under Sections 307, 452, 323, 148, 149, 506 IPC and Sections 25 and 27 of the Arms Act, 1959 at Police Station Bholath, District Kapurthala. The case has been registered on the basis of the statement of Vijay Kumar alleging that the marriage of his son Gagan was solemnized with Suman and there was a matrimonial dispute between them. The marriage of the other son of the complainant was to be solemnized on 18.10.2018. On 17.10.2018 a car having mud on the number plate arrived at the house of the complainant. Mohit and Amit-petitioners who are the brothers-in-law of Gagan alongwith three unidentified persons, came out of the car. One of the assailant was armed with Gandasi and another one was armed with Kahi. Mohit exhorted and after entering into the house, he fired upon with an intention to kill and the bullet hit the left

thigh of the complainant. Both the petitioners started firing from the pistol, the unidentified person armed with Gandasi inflicted injury on the left elbow of Swaran Kumar, the brother-in-law of the complainant and other unidentified person armed with Kahi inflicted kahi handle blow upon Reena Kakkar, the wife of the complainant.

It has been stated by the learned counsel for the petitioner that they have joined the investigation in pursuance of the interim directions.

However, it has been pointed out by the learned State counsel that petitioners are cooperating in the investigation. The weapons of offence are yet to be recovered. The identity of unidentified persons is yet to be ascertained.

It may be mentioned here that the injuries have been inflicted on the person of the complainant, Swaran Kumar and Reena Kakkar. Both the petitioners were armed with pistols and had also used the same in commission of crime and has also fired on the left thigh of the complainant. They were accompanied by unidentified assailants.

In such circumstances, the matter requires thorough consideration and investigation. The custodial interrogation of the petitioner appears to be essential for the proper investigation of the case.

In view of the above, the present petition stands dismissed.

13.02.2020
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(VIVEK PURI)
JUDGE

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