

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.101

CRM-M-14370-2020 (O&M)

Date of decision : 15.6.2020

Maninderjeet Singh @ Bitta Deol

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. G.S. Sandhu, Advocate, for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

Mr. K.S. Brar, Advocate, for the complainant.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks anticipatory bail in case FIR No.72 dated 5.3.2020, registered at Police Station City Sri Muktsar Sahib, District Sri Mukatsar Sahib, under Sections 307, 148, 149 IPC and Sections 25 and 27 of the Arms Act, 1959.

According to the version in the FIR, the petitioner and one more person, namely, Ramandeep Singh @ Dyala alongwith two-three unknown persons fired at the complainant with a pistol. One of the shots hit the complainant on his right flank and this realization dawned on him after he had made good his escape.

Learned counsel for the petitioner submits that this is a case of version and cross-version. In fact, the complainant side were the aggressors and they had fired at the petitioner and his co-accused, namely, Ramandeep Singh @ Dyala. The co-accused, namely, Ramandeep Singh @ Dyala has been granted interim bail by this Court vide order dated 29.5.2020 passed in CRM-M-11918-2020. The petitioner is identically situated and deserves the same relief.

The prayer is opposed by learned State counsel as well as by the learned counsel for the complainant on the ground that the pistol shot was fired by the petitioner. It has been submitted that a bullet has been recovered from the body of the complainant, which shows that a pistol shot was actually fired and in the case of Ramandeep Singh @ Dyala, it had been contended that he was not the person, who had fired the pistol shot and thus, apparently the pistol shot was fired by the petitioner. It may be a case of version and cross-version. However, nobody is entitled to attempt to take somebody-else's life.

The arguments of the learned State counsel as well as the learned counsel for the complainant appear to be reasonable and logical. A bullet has, in fact, been recovered from the body of the complainant and this has not been denied by learned counsel for the petitioner. Thus, somebody has fired the pistol and in case, it was not the co-accused, namely, Ramandeep Singh @ Dyala then it has to be the petitioner. An attempt to murder with the help of a pistol is a serious offence and the pistol has yet to be recovered. Thus, I do not find any parity between the case of the petitioner and the case of the aforementioned Ramandeep Singh @ Dyala.

The petition is accordingly, dismissed.

(SUDHIR MITTAL)
JUDGE

15.6.2020

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No