

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

**CRM-M-16315-2020
Date of Decision: 03.07.2020**

Gagandeep Singh ...Petitioner
Versus
State of Punjab ...Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. D.K. Bhatti, Advocate for the petitioner.
Ms. Monika Jalota, DAG, Punjab.

ALKA SARIN,J

Heard through video conferencing.

The present petition has been filed under Section 438 of Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in case FIR No.127, dated 07.05.2020, under Section 307 and 506 of Indian Penal Code, 1860 and Section 25 and 27 of the Arms Act, 1959, registered at Police Station Salem Tabri, Ludhiana, Punjab.

It is contended by the learned counsel for the petitioner that the petitioner has falsely been implicated by the local police authorities at the instance of the complainant Sushma, an influential lady who wants to usurp the property of the petitioner's father, Hardip Singh. It is further contended that Sushma had murdered the father of the petitioner and had thereafter, got a false FIR registered against the petitioner and his son on the basis of self-inflicted injuries, that too while the petitioner and his whole family were busy in the last rites of his father.

Learned counsel for the State has shared on WhatsApp the medico legal report of Kiranpreet Kaur and Sehajj Singh, which clearly reveal that the said two named people, Kiranpreet Kaur and Sehajj Singh had received gunshot injuries. It has further been argued by the learned State counsel that the present case is not a case of self-inflicted injuries as has been sought to be made out by the learned counsel for the petitioner but in fact, Sehajj Singh and Kiranpreet Kaur had received gunshot injuries while they had gone to attend the cremation of the father of the petitioner.

I have heard the learned counsel for the parties and have gone through the available documents on record.

In the present case, the allegations in the FIR are that one Sushma along with her son Sehajj Singh had gone to attend the last rites of Hardip Singh, who had expired on 06.05.2020. During the course of performance of last rites of Hardip Singh, Sushma, complainant, who claims herself to be the second wife of Hardip Singh was present near the body of the deceased. The petitioner along with his son Nekbir Singh fired shots from their respective firearms hitting Sehajj Singh and Kiranpreet Kaur, who was also present there. Sushma, the complainant is stated to have escaped the first gun-shot which was fired by the petitioner and the second shot fired from his firearm hit Kiranpreet Kaur.

The gravity of the offence alleged in the present case cannot be overlooked. It has also been brought to the notice of the Court that the weapon is yet to be recovered. Hence, custodial interrogation of the petitioner would be required in the present case. There are direct allegations against the petitioner attributing firearm injuries to him. The

complainant had also stated that the injuries were caused with an intention to kill.

In view of the above facts and circumstances of the case, I do not deem this to be a fit case for grant of concession of anticipatory bail to the petitioner. The petition is hence dismissed.

It is, however, made clear that nothing in the present order should be construed as an expression of any opinion on the merits of the case.

(ALKA SARIN)
JUDGE

03.07.2020
Manpreet

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