

CRM-M-20039-2020

Date of decision: 10.08.2020

Kanwarpreet Singh @ Kamalpreet Singh

....Petitioner

versus

U.T. Chandigarh

....Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. R.S. Rangpuri, Advocate
for the petitioner.**FATEH DEEP SINGH, J.(ORAL)**

Due to outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

Notice of motion to official respondent-State.

Mr. Rajiv Vij, Addl.P.P., U.T. Chandigarh puts in appearance and accepts notice on behalf of the official respondent-U.T. Chandigarh. Copy supplied.

The petitioner-Kanwarpreet Singh @ Kamalpreet Singh has come up in this first regular bail application under Section 439 Cr.P.C. in a case bearing FIR No.5 dated 11.01.2020 under Sections 147, 148, 149, 307 of the Indian Penal Code and Sections 25/27 of Arms Act registered at Police Station South Section 34, Chandigarh.

The allegations in brief are that the present petitioner

along with his co-accused, numbering around a dozen, in consequence of gang rivalry on 11.01.2020, had assaulted their opponents who had brought the injured, thereafter, to the Government Medical College and Hospital, Sector 32, Chandigarh. It is, thereafter, during early hours on the next day, the petitioner along with his co-accused came on vehicles and attacked the opposite group and gave repeated fires from their weapons, as a consequence of which, a passerby was injured.

The allegations against the petitioner are that he too fired from his weapon and in the melee left behind his jeep bearing No. PB65AT7255 make Thar which was recovered by the police. The accused/petitioner alleged to have handed over the weapon to his co-accused.

Learned counsel for the petitioner has argued at length that neither the petitioner named in the FIR nor any specific role has been attributed to him and that nothing has been recovered from his possession. It is contended that in fact another vehicle was got recovered which does not belong to the petitioner and that the parties have settled their dispute.

The learned State counsel has strongly opposed the bail on the grounds that there are serious allegations against the petitioner for having assaulted the opposite group with fire arms at the hospital, causing injury to a passerby and, therefore, if allowed bail, there is every likelihood that the petitioner might stifle the

investigation and the trial.

Appreciating the submissions, the bail application of co-accused-Nishan Singh Khera was declined by this Court vide detailed order dated 05.08.2020. There are specific allegations against the petitioner for having fired from his weapon and his vehicle was got recovered from the hospital which pinpoints to his presence at his spot. Since, the investigations are at crucial stage and that is apparent from the records, the accused has already influenced the witnesses deters this Court to decline the bail.

The present petition stands dismissed.

10.08.2020
Neha

(FATEH DEEP SINGH)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No