

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

**CRM-M No.26550 of 2020
Date of Decision : 12.10.2020**

Desa Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. D.S. Pheruman, Advocate
for the Petitioner.

Mr. Saurav Khurana, Dy. Advocate General, Punjab
for the Respondent/State.

SUDIP AHLUWALIA, J. (ORAL)

The instant Petition has been filed under Section 438 of the Code of Criminal Procedure seeking Anticipatory Bail on behalf of the Petitioner in case FIR No.118, dated 6th July, 2020, registered under Sections 307, 148, 149 of the Indian Penal Code and Section 25 & 27 of Arms Act, Police Station Khalra, District Tarn Taran.

2. Ld. Counsel for the Petitioner submits *inter alia* that in this case not only Victim-Baljinder Singh but the Petitioner's own son Gurlal Singh had suffered firearm injuries caused by assailants from the Complainant's side, the details of which have been mentioned in Para No.4 of the Petition.

3. Submits further that even according to the FIR, the firearm injuries upon Baljinder Singh are imputed to Gurlal Singh son of the

Petitioner and there is no allegation to the effect that the Petitioner himself caused any injury to anyone.

4. Ld. Counsel for the State nevertheless opposes the Bail Petition by contending that firearm injuries were caused to Baljinder Singh with the active aid and abetment of the Petitioner, who himself was carrying .12 bore rifle, and had also shot at the Victim although his fire missed the target. Nevertheless firearm injuries were sustained by Baljinder Singh which are directly imputed to the Petitioner's own son, who was also involved in the same occurrence.

5. In the opinion of the Court, the occurrence, as can be ascertained from the nature of injuries suffered by the Victims, was undoubtedly dangerous and such acts on the part of the Culprits involved were uncalled for. At this juncture, it is however immaterial that injuries caused to the son of the Petitioner by firearms were also imputed to the Complainant's side. In either case, the Culprits involved do not deserve any indulgence in the form of extraordinary relief of Anticipatory Bail, irrespective of the fact that persons from both sides sustained injuries.

6. Dismissed.

October 12, 2020
Dpr

(SUDIP AHLUWALIA)
JUDGE

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