

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

**204**

**(1)**

Ajaybir Singh @ Aju

**CRM-M-28307-2020**

... Petitioner

Versus

State of Punjab

... Respondent

**(2)**

Gurlal Singh

**CRM-M-29463-2020**

... Petitioner

Versus

State of Punjab

... Respondent

**(3)**

Harmandeep Singh

**CRM-M-31676-2020**

... Petitioner

Versus

State of Punjab

... Respondent

**Decided on : 04.11.2020**

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA**

Present: Mr.R.S.Hooda, Advocate, for the petitioner.

Mr.A.A.Pathak, Addl.A.G., Punjab.

Mr.Amit Arora, Advocate, for the complainant.

(The proceedings are being conducted through video conferencing,  
as per instructions.)

**G.S. Sandhawalia, J. (Oral)**

Petitioners, Ajaybir Singh @ Aju, Gurlal Singh and Harmandeep Singh, by way of present petitions, filed under Section 438 Cr.P.C., seek anticipatory bail in FIR No.195 dated 24.06.2020 under Sections 307, 506, 148, 149 IPC and Sections 25, 27, 54 & 59 of the Arms Act, 1959, registered at Police Station Verowal, District Tarn Taran.

It is the case of counsel for the petitioners that a compromise has been effected and the petitioners are willing to join investigation. He has referred to the MLRs placed on record in CRM-31676-2020 to submit that directions were issued on 25.09.2020 in CRM-29463-2020 and the State had

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been directed to place on record the MLRs of the victims, which have now been obtained after 3 months of the incident. He has further referred that the injuries on the persons of the injured are not on the vital parts and are lacerated wounds. It is, thus, submitted that opinion were only taken on 26.09.2020 by the police personnel to support the improvement made by the complainant side.

Counsel for the complainant has opposed the bail applications on the ground that out of the 10 accused, four have been granted anticipatory bail and only three petitioners herein have approached this Court and other three are at large. He further submits that no compromise has been effected and 5 persons, namely, Yuvraj Singh, Sukhwinder Singh, Harpinder Singh, Balwinder Singh and Pargat Singh received gun-shot injuries in the incident which took place on 23.06.2020.

State Counsel submits that the petitioners along with co-accused are absconding and are not cooperating with the investigation.

A perusal of the FIR lodged by Balwinder Singh @ Binda would go on to show that the incident took place on 23.06.2020 at 7 PM. The complainant had specifically named the petitioners, Ajaybir Singh @ Aju son of Kaka Singh, Gurlal Singh and Harman Singh @ Harmandeep Singh son of Hardev Singh. Specific roles have been attributed to Harmandeep Singh who was stated to be armed with rifle and the fire had hit in the right leg below the knee of Sukhwinder Singh. Similarly, Gurlal Singh is stated to have given 2 fire-blows while armed with pistol which hit the right hand and right thigh of Harbhinder Singh @ Ladi. Ajaybir Singh @ Aju fired with his pistol fired upon Yuvraj Singh which hit on the ankle of his left foot. It is, thus, apparent that the

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petitioners have used fire arms injuries upon the complainant party and the medical evidence which has been placed on record shows the presence of the injuries upon Sukhwinder Singh on the right knee. Similarly, Harbhinder Singh was stated to have been injured on the upper end of the right knee joint and on the right thigh, as per the MLR which has now been placed on record. Yuvraj Singh @ Jagraj Singh has lacerated wound on the left feet. The Doctor has also opined that initially the patients were admitted on 23.06.2020 and have further been referred to the Civil Hospital, Tarn Taran and the police officials had come on 26.09.2020 for MLR purposes. Similarly non-applicants, Chander and Jyoti had also opened fire with pistols and injured Pargat Singh on his stomach and right ankle.

The weapons of offence have to be recovered to correlate the injuries in the incident which had taken place. Accordingly, it is not a fit case for grant of anticipatory bail wherein the petitioners have opened fire on the complainant party. It is to be verified as to whether the fire-arms are illegal or licenced weapons and without the custodial interrogation of the petitioners, the other three co-accused who are still stated to be absconding, are to be traced, which can only happen if the petitioners are arrested.

Resultantly, in view of the above discussion, no case is made out for grant of anticipatory bail to the petitioners and the present petitions are hereby dismissed.

**(G.S. SANDHAWALIA)  
JUDGE**

**NOVEMBER 4, 2020**  
*sailesh*

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No