

**109(1) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-33980-2020(O&M)
Date of decision: 23.10.2020**

Sourav Kumar and another

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Prateek Sodhi, Advocate for the petitioners
Mr. Sandeep Vermani, Addl. AG, Punjab

ANIL KSHETARPAL, J. (ORAL)

The petitioners pray for grant of pre-arrest bail in a criminal case arising from FIR No.154 dated 27.8.2020 registered under Section 307, 506, 148, 149 IPC and Section 25 & 27 of the Arms Act at Police Station Cantonment, Amritsar.

As per the case of the prosecution, Amit Kumar s/o Ajay Kumar lodged the present FIR alleging that he and his family members have enmity with Sahil @ Kalu, Sami s/o Tarsem and cases are going on against each other. It is further alleged that at 10:40 pm Sahil @ Kalu, Sami @ Tarsem, Saurav Bhatti, Fauji accompanied by 10-12 unknown persons attacked the first informant and his family members with firearms. One bullet fired by the accused had hit the chest of his brother Aatish, who got grievous injury.

Learned counsel for the petitioners contends that in the FIR, it has been recited that the injured was taken to Civil Hospital and then referred to Guru Nanak Hospital. He submits that Medico Legal Report is of 12.9.2020 whereas the occurrence took place on 27.8.2020.

This Court has considered the submission. Learned Additional Sessions Judge, Amritsar in para 6 of his order has noted that Aatish the injured was first admitted in ICU of Hargun Hospital on 27.8.2020 where he remained under treatment. He was later on shifted to Govt. Hospital and then medico legal report was prepared.

It is the case of the prosecution that 10-12 bullets were fired. It has also come on record that the petitioners are also alleged to have used fire arms on 28.5.2020 resulting in FIR no.75 dated 28.5.2020.

Keeping in view the aforesaid facts, this Court is not inclined to grant concession of bail to the petitioners.

Hence, dismissed.

23.10.2020

rekha

Whether speaking/reasoned

Whether Reportable

(ANIL KSHETARPAL)

JUDGE

Yes / No

Yes / No