

(Through Video Conferencing)

CRM-M- 44405-2019 (O&M)

Date of Decision: 02.11.2020

Gurlal Singh @ Dogar

.....Petitioner

Versus

State Punjab

.....Respondent

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Ms. Ishma Randhawa, Advocate, for the petitioner.

Mr. Sandeep Vermani, Addl. Advocate General, Punjab.

Mr. Mohinder Kumar, Advocate, for the complainant.

NIRMALJIT KAUR, J.**CRM-26666-2020**

Allowed as prayed for.

CRM-26673-2020

Documents Annexures A-1 and A-2 are taken on record.

CRM stands disposed of.

Main Case

The prayer in the present petition is for grant of regular bail to the petitioner in case FIR No.168 dated 02.08.2018 under Sections 307, 324, 427, 148, 149 of IPC and Section 25 of the Arms Act, registered at Police Station Chheharta, District Amritsar.

While praying for bail, learned counsel for the petitioner submitted that a false case has been registered against the petitioner. The co-accused of the petitioner, namely, Malkiat Singh has sustained multiple gun shot injuries during the occurrence. The petitioner too has received injuries. It is further submitted that the similarly situated co-accused of the petitioner

Malkiat Singh has been granted bail, vide order dated 15.07.2019, whereas,

the petitioner is in custody since 01.03.2019. It is further contended that the police refused to register cross case of the petitioner inspite of fire-arms injuries received by the co-accused Malkiat Singh.

Learned State counsel on the other hand has pointed out that the statement made by the petitioner seeking registration of cross case was found to be false. The cross case made no mention of the present incident. Secondly, the DDR was registered as per cross case on the basis of statement made by co-accused Malkiat Singh as late as on 06.09.2018, whereas, the incident is of 02.08.2018. It is evident from Annexures A-1 and A-2, placed on record by learned counsel for the petitioner that the medical opinion is of a private hospital. There are specific allgations against the petitioner.

Heard.

As per the prosecution version, the petitioner fired at Mehtab Singh. Out of 12 injuries, 4 are gun shot injuries, which are attributed to the present petitioner. Further, as per CCTV footage, the presence of the petitioner armed with pistol is evident. He is also habitual offender and is involved in three other cases. Out of which, one is registered under Sections 399, 402 of IPC, the second one is under Section 379-B and the third one is under Sections 307 and 336 of IPC as well as the Arms Act. The allegations against the petitioner are serious. The case of the co-accused is totally different. No ground for bail is made out.

Dismissed accordingly.

02.11.2020

sandeep

(NIRMALJIT KAUR)
JUDGE

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No