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

CRM-M-54038-2019

Date of decision-14.01.2020

Lakhwinder Singh

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Rahul Bhargava, Advocate for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

Ms. Tarnjit Kaur Hundal, Advocate for the complainant.

MANOJ BAJAJ, J.

Petitioner-Lakhwinder Singh has filed this petition under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No.170 dated 18.07.2019 registered under Sections 302 and 148 read with Section 149 of Indian Penal Code and Sections 25 and 27 of Arms Act, 1959 at Police Station Beas, District Amritsar Rural, Amritsar.

The FIR was registered on the statement of complainant, namely, Kuldeep Kaur wife of Sukhwinder Singh wherein it was alleged that on 18.07.2019, when she along with her brother-in-law, namely, Manmohan Singh was going to attend the hearing of the case at Baba Bakala Sahib on motorcycle, they were waylaid by Lakhwinder Singh @ Lakha (petitioner), Kuldeep Singh and Surinder Singh who were armed with rifle, gun and datar

respectively. Lakhwinder Singh raised lalkara and in the meantime, he fired gunshot on Manmohan Singh which hit on his head. Surinder Singh gave datar blow. After firing and causing injuries to Manmohan Singh, they all fled away from the spot. Later on, Manmohan Singh died. On these broad allegations, FIR was registered.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and earlier also, false cases have been foisted against the petitioner, who earned acquittal in as many as nine cases. The local Police authorities are nursing the grudge against the petitioner and for this reason, he is being implicated in false cases time and again. The petitioner, through his father has already approached this Court through CRM-M-34680-2019 for protection as well as transfer of investigation in the subject FIR to some independent agency, which is pending adjudication for 17.03.2020. He has further invited the attention of the Court to Annexure P-8 to contend that co-accused-Dilbagh Singh has already been granted the concession of regular bail by the trial Court.

On the other hand, learned counsel for the complainant as well as learned State counsel has opposed the prayer on the ground that the offence is serious. Otherwise also, it is pointed out that the petitioner is named in the FIR who was armed with rifle and had fired upon Manmohan Singh (deceased).

During the course of hearing, it is not disputed by learned counsel for the petitioner that the petitioner is named in the FIR and had fired on Manmohan Singh.

Considering the above background and the nature of offence, this Court is not inclined to grant extra ordinary concession of pre-arrest bail to the petitioner.

Resultantly, the petition is dismissed.

(MANOJ BAJAJ)
JUDGE

14.01.2020
vanita

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