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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

* * *

CRM-M-1964-2021
Date of Decision: 22.01.2021

HARPAL SINGH @ HEERA @ JALLAD

....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Upender Prasher, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

* * *

Avneesh Jhingan, J. (Oral)

The matter is taken up for hearing through video conference due to COVID-19 situation.

This is a second petition seeking regular bail in FIR No. 39 dated 05.02.2020 under Sections 397, 148, 149 IPC (Section 394 IPC added later on) and Sections 25/27/54/59 of the Arms Act registered at Police Station Sadar District Amritsar.

The FIR was at the instance of Amanjot Singh. It was stated that he runs a shop by name of Gyan Enterprise at Fatehgarh Churian road Amritsar. On 05.02.2020 at about 7.20 PM, three persons riding on motorcycle and two persons riding on scooty encircled his father in front of the shop and demanded keys of the car. His father refused to hand over the keys. The accused fired on the father of the complainant, one bullet hit on the thigh and second hit on the calf muscle and 3/4 more shots were fired thereafter. The accused ran away on their vehicles along with their weapons.

Learned counsel for the petitioner submits that the petitioner is in custody since 07.02.20, challan has been produced and no further recovery is to be made. There is no report to show that the shots have been fired from the pistol recovered from the petitioner.

Learned State counsel submits that the petitioner, after arrest, got recovered .32 bore pistol along with magazine. He has been duly identified by the complainant. The charges are yet to be framed and if the petitioner is enlarged on bail, there is every possibility to influencing the witnesses. She further submits that the petitioner is a habitual offender as there are three more cases filed against him. She submits that one of the co-accused is yet to be arrested.

The petitioner earlier also applied for a bail in this Court, the same was withdrawn by the petitioner on 03.09.2020.

Considering the incident is of snatching the car; the accused were carrying fire arms weapons. During the investigation, the petitioner along with their co-accused were arrested and on his disclosure statement, .32 bore pistol along with magazine were recovered, the petitioner has been duly identified by the complainant; charges are yet to be framed, no case is made out for granting bail to the petitioner at this stage.

The petition is dismissed.

(AVNEESH JHINGAN)
JUDGE

22.01.2021

shabha

Whether speaking/reasoned
Whether reportable

Yes
Yes