

In virtual Court

CRM-M-4091 & 4093-2021

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of decision: 28.01.2021

1. CRM-M-4091-2021 (O&M)

Bhim Sain

... Petitioner

Vs.

State of Punjab

... Respondent

2. CRM-M-4093-2021 (O&M)

Varinder Pal @ Bhola

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Rubal Garg, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in both these petitions is for grant of anticipatory bail to petitioners Bhim Sain and Varinder Pal @ Bhola, in FIR No.358 dated 11.10.2020 under Sections 307, 365, 341, 323, 120-B, 148, 149 IPC and Section 25/27 of Arms Act, registered at Police Station Sadar Fazilka.

Learned counsel for the petitioners submits that as per allegations in the FIR, petitioner Varinder Pal @ Bhola is attributed an injury with hockey on the right hand of the victim, whereas allegations against petitioner Bhim Sain is that he has snatched the pistol from his brother Ram Dev and fired shots towards the victim with intention to kill him, however, he escaped. It is further submitted that some co-accused of the petitioners have already been granted the concession of anticipatory bail on the plea of alibi. It is also submitted that petitioner Varinder Pal @ Bhola has attended an OPD at Shri Ganganagar on the date of incident and this fact can be verified from the CCTV footage.

A perusal of the FIR shows that the incident took place at about 6.00 pm and the OPD slip nowhere depicts the time of visiting the petitioner.

Learned State counsel has opposed the prayer for bail on the ground that petitioner Varinder Pal @ Bhola is specifically named in the FIR with an injury, whereas allegations against petitioner Bhim Sain is that he fired towards the victim, however, he escaped. It is submitted that though 18 persons have been nominated in the FIR, however, 16 persons have not been arrested and two have already been granted the concession of anticipatory bail.

After hearing learned counsel for the parties and considering the allegations against the petitioners in the FIR, I find no ground to grant them

In virtual Court

CRM-M-4091 & 4093-2021

-3-

anticipatory bail, as their custodial interrogation is required.

Accordingly, both these petitions are dismissed.

[ARVIND SINGH SANGWAN]
JUDGE

28.01.2021

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No