

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

CRM-M No.13369 of 2021

Jasdeep Singh

....Petitioner

Versus

State of Punjab

....Respondent

CRM-M No.28942 of 2021

Sukhdeep Kaur

....Petitioner

Versus

State of Punjab & Others

....Respondents

CRM-M No.33252 of 2021

Lakhwinder Kaur

....Petitioner

Versus

State of Punjab & Others

....Respondents

Date of Decision: 18th August, 2021.

(Heard through Video-Conferencing)

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present: Mr. L.S.Virk, Advocate,
for the petitioner (in CRM-M No.13369 of 2021).

Mr. Kamal Narula, Advocate,
for the petitioner (in CRM-M No.28942 of 2021).

Mr. Bikramjit Aroura, Advocate,
for the petitioner (in CRM-M No.33252 of 2021) &
for the complainant (in CRM-M No.13369 of 2021).

Ms. Samina Dhir, DAG, Punjab.

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MEENAKSHI I. MEHTA, J.

All the above-said three petitions are being taken up together for adjudication as these have arisen out of the same occurrence.

CRM-M No.13369 of 2021

Apprehending his arrest in the criminal case arising out of General Diary No.29 dated 18.11.2020 entered at Police Station Sirhali, District Tarn Taran, under Section 307 read with Section 34 IPC and Section 27 of the Arms Act as the cross version in the FIR bearing No.262 dated 23.10.2020 registered at the same Police Station under Sections 302, 307, 447, 511, 148, 149 IPC and Sections 25 & 27 of the Arms Act, the petitioner has preferred this petition for seeking the relief of anticipatory bail.

Bereft of unnecessary details, the allegations, as levelled by complainant Lakhwinder Kaur in the above-said General Diary/Report, are that the petitioner and his co-accused had assaulted them and the petitioner, who was armed with a 12 bore gun, fired shots at her son named Karan Singh, who fell down on the ground and his (petitioner's) co-accused also fired shots from their respective weapons.

Mr. Bikramjit Aroura, Advocate, has also joined the proceedings on behalf of the complainant in this case and has sent his power of attorney to this Court and the same is taken on the record.

Learned State counsel submits that the status-report, filed on behalf of respondents No.1 to 3 in CRM-M No.28942 of 2021, by way of the affidavit of Deputy Superintendent of Police, Sub-Division Patti, District Tarn Taran, be also read as such in the present petition.

I have heard learned counsel for the petitioner as well as learned

State counsel and learned counsel for the complainant in this petition and have also perused the file thoroughly.

Learned counsel for the petitioner contends that the alleged occurrence took place on 23.10.2020 whereas the subject General Diary Report has been entered on 18.11.2020, i.e after 26 days and moreover, the instant cross-case is a counter-blast to the afore-said FIR registered at the instance of the petitioner and even otherwise, no offence under Section 307 IPC is made out in this case and in these circumstances, the petitioner deserves the relief as prayed for in this petition.

Per contra, learned State counsel and learned counsel for the complainant argue that the delay in entering the said General Diary Report occurred due to the fact that the above-named injured remained hospitalized due to the fire arm injury suffered by him and was discharged from Amandeep Hospital on 03.11.2020 and as mentioned in the Injury Report Annexure P-8 (annexed in the petition bearing CRM-M No.33252 of 2021), the gun-shot injury on his chest has also been declared as dangerous to life and it being so, this petition deserves dismissal.

So far as the contentions of learned counsel for the petitioner regarding the delay in lodging the subject General Diary/Report and qua the present case being a counter-blast to the above-said FIR are concerned, the same can and shall be looked into and adjudicated by the trial Court at the appropriate stage after appreciating and evaluating the evidence as may be led on the record during the course of the trial.

As regards the contention qua the offence under Section 307 IPC, it is worthwhile to mention here that as per the above-said Injury Report

Annexure P-8 (annexed with the petition bearing CRM-M No.33252 of 2021), the gun-shot injury on the chest of the afore-named injured has been declared to be dangerous to life. To add to it, the weapon of offence, as allegedly used by the petitioner in the commission of the offence, would also be required to be recovered from him. It being so, the possibility of the requirement of the custodial interrogation of the petitioner cannot be ruled out.

Keeping in view the above-discussed facts and circumstances, coupled with the gravity of the offence, as alleged to have been committed by the petitioner, this Court is of the considered opinion that he does not deserve the relief of anticipatory bail.

Resultantly, the petition in hand stands dismissed accordingly.

CRM-M No.28942 of 2021

Status-report filed on behalf of respondents No.1 to 3, by way of the affidavit of the Deputy Superintendent of Police, Sub-Division Patti, District Tarn Taran, as forwarded by learned State counsel to this Court through e-mail, is taken on the record.

Learned State counsel refers to paras No.8 & 9 of the said report and points out that it has categorically been mentioned therein that the proceedings under Sections 82/83 Cr.P.C have already been initiated against private respondents No.4 to 7 as well as accused named Jasdeep Singh and that the representation dated 10.07.2021 has already been decided by the local police/authorities while observing that the accused would be apprehended as soon as possible.

At this stage, learned counsel for the petitioner seeks permission

to withdraw the instant petition in view of the above-discussed contents of the afore-referred status-report.

Learned State counsel has no objection for the same.

Resultantly, the petition in hand stands dismissed for having been withdrawn accordingly.

CRM-M No.33252 of 2021

Learned counsel for the petitioner seeks permission to withdraw the instant petition at this stage, while submitting that the petitioner would be availing the alternative efficacious remedy, as may be permissible to her under law, to seek the redressal of her grievance as canvassed in this petition.

Resultantly, the petition in hand stands dismissed for having been withdrawn accordingly.

(MEENAKSHI I. MEHTA)
JUDGE

18.08.2021.
seema

<i>Whether speaking/reasoned?</i>	<i>Yes/No</i>
<i>Whether Reportable?</i>	<i>Yes/No</i>