

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

**CRM-M-27563-2020
Date of decision: 15.01.2021**

Dalbir Singh @ Bira

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Sandeep Arora, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 130 dated 05.07.2020, registered under Sections 302, 307, 148, 149, 160, 120-B, 34 of the IPC and Section 25 of the Arms Act, 1959 at Police Station Bhargo Camp, District Jalandhar.

Learned counsel for the petitioner submits that as per allegations in the FIR, which was registered at the instance of ASI Vijay Kumar initially against co-accused Akashdeep, Rajat Gangotra, Nitin Arora, Gurpreet Singh, Dalbir Singh and Prince, wherein the name of the petitioner was added later on, it is stated that when he was on a patrol duty, he got an information that the aforesaid persons were indulged in committing offence with illegal arms and ammunitions and on 05.07.2020, all the said persons gathered at Lovely Timber Store, where they have a conflict with some other group. During the hot exchange of words, Rajat Gangotra provoked Akashdeep Singh by saying that deceased Nitin Arora always leaked their

plans and he should be taught a lesson. On such provocation, Akashdeep Singh fired a shot at Nitin Arora with a pistol with intention to kill him and he got seriously injured. Thereafter, ASI Vijay Kumar got an information that some unknown person has admitted Nitin Arora in the hospital and when he reached hospital, he came to know that Nitin Arora has been given injuries with a gun shot. Later on, Nitin Arora died and the accused persons were arrested.

Learned counsel for the petitioner further submits that petitioner is not attributed any injury as the deceased suffered only one fire arm injury which is attributed to co-accused Akashdeep.

Learned State counsel, on the basis of the affidavit of SHO, PS-Bhargo Camp, Jalandhar, submits that the petitioner was named in the FIR and there are allegations that all the accused, in conspiracy with each other, has fired a shot at deceased Nitin Arora, who later on died.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that there are serious allegations against the petitioner, I find no ground to grant him concession of regular bail.

Accordingly, the present petition is dismissed.

15.01.2021

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No