

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

CRM-M No.982 of 2021 (O&M)

Date of Decision: 28.07.2022

Sukhpreet Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Umesh Aggarwal, Advocate for the petitioner.

Ms. Deepali Puri Sandhu, Addl. A.G., Punjab for the respondent.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure for grant of pre-arrest bail to the petitioner in FIR No.110 dated 23.06.2019 (P-1), under Sections 307, 34, 120-B of the Indian Penal Code, 1860 and Section 25 of the Arms Act, 1959, registered at Police Station Majitha, Amritsar.

(2) It transpires that above FIR was registered on the basis of statement made by one Chandeeep Singh s/o Sukhdev Singh, r/o Marari Khurd, age 28 years to the effect that he is an agriculturist and used to go for playing volleyball in village Marari Kalan playground. On 21.06.2019, he went to playground in the evening to play volleyball. Papalpreet Singh s/o Pargat Singh, Sukhpreet Singh s/o Mohan Singh (petitioner) and Dharamvir Singh s/o Jaspal Singh, r/o Marari Kalan came there in their Alto Car bearing registration No.PB-02-CC-1264. Papalpreet Singh threatened the complainant that he has posted some fake posts on the social media and for that, he shall be taught a lesson. After that, all of them went

away in their Car. Complainant came back to home and informed his family members regarding the occurrence. Again on 22.06.2019 at about 8:30 PM, when complainant went to playground, then saw that petitioner-Sukhpreet Singh armed with country made pistol and Mukhwinder Singh empty handed were standing there. Upon seeing the complainant, Mukhwinder Singh raised a *lalkara* that today, they will teach him a lesson for posting fake news. In the meanwhile, petitioner-Sukhpreet Singh fired a gun shot from country made pistol with an intention to kill the complainant and pellets of the same hit on his right bicep on inner side, on the thumb of right hand and upon left side of his abdomen. On hearing the noise of gun shot, people gathered and upon seeing them, Sukhpreet Singh holding the pistol in hand along with Mukhwinder Singh fled away by riding on motorcycle make Splendor bearing registration No.PB-02-CN-641. The motive for the occurrence is that Papalpreet Singh and Sukhpreet Singh have a doubt that complainant is posting fake posts while using the I.D. in the name of Preet Grewal on his mobile number, but this is not correct. Thereafter, a vehicle was arranged and complainant was taken to civil Hospital Majitha, from where, Doctor referred him to Guru Nanak Dev Hospital.

(3) This Court, on 12.02.2021, passed the following order:-

“ Learned counsel for the petitioner vehemently contends that in view of photograph (P-6), background of the complainant seems to be very sketchy as he is carrying two weapons.

Faced with the situation, learned State counsel seeks time to verify the authenticity of above photograph.

On his request, adjourned to 28.04.2021.

In the meanwhile, petitioner will join the investigation and in the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973. ”

- (4) Contends that in terms of the above order, petitioner has joined the investigation.
- (5) The above factual position is duly acknowledged by learned State Counsel, on instructions from the police official concerned. Also states that custodial interrogation of the petitioner is not required.
- (6) In view of above, interim order dated 12.02.2021 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.
- (7) It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.
- (8) The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
- (9) Disposed off accordingly.

July 28th, 2022
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(MAHABIR SINGH SINDHU)
JUDGE

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