

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

205

CRM-M-8681 of 2022

Date of Decision:14.09.2022

Ranjot Singh @ Bablu

....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Veneet Sharma, Advocate,
for the petitioner.

Mr. Amit Rana, Senior DAG, Punjab

Mr. Abhinav Singh, Advocate,
for the complainant.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Section 438 of the Code of Criminal Procedure for the grant of anticipatory bail to the petitioner in FIR No.004 dated 13.01.2022, under Sections 307, 427, 506, 148 and 149 of the IPC and Section 25, 27 of the Arms Act, 1959, registered at Police Station Ghuman, District Batala.

Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case and even otherwise also it was a case of no injury. He submitted that the dispute arose between the parties only due to some altercation at the time of fight and it was only because of the aforesaid fight that the concocted story was made by the police in connivance

with the complainant and he has submitted that the petitioner may be considered for the grant of anticipatory bail.

On the other hand, Mr. Amit Rana, learned Senior DAG, Punjab has stated that the reply has been filed by way of affidavit of the Deputy Superintendent of Police, Sub-Division Sri Hargobindpur, Police District Batala District Gurdaspur. While referring to the reply/affidavit filed by the State, the learned State counsel submitted that it is the case where a fight had taken place and thereafter the petitioner alongwith about 10 to 12 persons had come to the house of the complainant and so far as the present petitioner is concerned, there is a specific role attributed to the petitioner that he was armed with pistol and apart from him two more persons were also armed with pistols and all three of them fired while the other persons were carrying *Kirpan* and other weapons. He submitted that the petitioner fired from his pistol, although no injury was inflicted to anybody but 5 empty cartridges of 7.62 KF were recovered from the place of occurrence. He submitted that the petitioner is involved in five more cases out of which one FIR i.e. FIR No. 26 dated 13.03.2022 was registered under the Arms Act after the present FIR was got registered. The details of the FIRs in which the petitioner is involved has been mentioned in para 6 of the reply which is reproduced as under:-

Sr. No.	FIR No. & Date	Under Section	Police Station	Status of the case
1.	FIR No.12 dated 13.05.2021	25 Arms Act, 399, 402 IPC	SSOC Amritsar	Accused on bail, challan pending in court
2.	FIR No.51 dated 09.07.2016	25 Arms Act, 399, 402 IPC	Mehta	Accused on bail, challan pending in court
3.	FIR No.25 dated 23.04.2018	307, 365 IPC, 25 Arms Act, 21/22 NDPS Act	Mehta	Accused on bail, challan pending in court

4.	FIR No.45 dated 05.05.2021	21 NDPS Act	Mehta	Accused on bail, challan pending in court
5.	FIR No.26 dated 13.03.2022	307, 323, 365, 511, 148, 149 IPC, 25/27/54/59 Arms Act	Ghoman	Under investigation

He submitted that it is a fit case where the custodial interrogation of the petitioner is required in view of his past antecedents and specific allegations against the petitioner.

I have heard the learned counsel for the parties.

As per the FIR, specific role has been attributed to the petitioner. As per the learned State counsel 5 empty cartridges were recovered from the place of occurrence. The petitioner is involved in five more cases out of which four are pertaining to the Arms Act and one is pertaining to NDPS Act as well. The argument raised by the learned State counsel that although the fire arm was used but no injury was caused and for that purpose custodial interrogation of the petitioner is required cannot be ignored and does carry weight. During the course of arguments, the learned State counsel also stated on instructions from ASI Gurmukh Singh that the pistols which were used were not licensed pistols but were country made pistols.

After considering the arguments raised by learned counsel for the parties, this Court is of the considered view that considering the seriousness and gravity of the matter, wherein allegations are pertaining to using of pistols by three persons including the petitioner and considering the antecedents of the petitioner, this Court does not deem it fit to grant the concession of anticipatory bail to the petitioner. Therefore, finding no merit in the present petition, the same is hereby dismissed.

However, anything observed hereinabove shall not be treated as an

expresion of opinion on merits of the case and is only meant for the purpose of
decision of present petition.

(JASGURPREET SINGH PURI)
JUDGE

September 14, 2022
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Whether speaking	:	Yes/No
Whether reportable	:	Yes/No