

105

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-11584-2022 (O&M)
Date of Decision:21.03.2022

Navdeep Shegal @ Deepu

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Kamal Narula, Advocate for the petitioner.

Mr. V.G. Jauhar, Sr. DAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in a case FIR No.52 dated 08.03.2021 registered under Sections 307/427/148/149 IPC and Sections 25/27 Arms Act, 1959 at Police Station City Ferozepur, District Ferozepur who apprehends his arrest at the hands of Police.

The FIR was registered on the complaint of Sukhjinder Singh Maini and the allegations as noticed by the Id. Addl. Sessions Judge, Ferozepur in the order dated 17.05.2021 are as under:

“Perusal of the FIR as well as police record shows that the present case has been registered on the complaint of Sukhjinder Singh Maini with the allegations that on the alleged day of occurrence, he alongwith his brother was in their vehicle, when the main accused/applicant Navdeep Sehgal armed with Pistol and one young person armed with Pistol and 10/12 unknown persons were standing on the road. After seeing the complainant party, applicant/accused raised lalkara and fired a shot from his Pistol towards me with intention to kill, which hit the bumper of my Car and afterwards unknown persons also had given fire shot upon me as well as brick bat, which hit upon my Car. Meanwhile complainant’s friend Jaswinder Singh also came at the spot in his Car and his Car was also damaged by the aforesaid accused persons and we

ran away from the spot, after rescue from the aforesaid situation. Hence the present case has been registered.”

Learned counsel for the petitioner has argued that though the name of the petitioner is mentioned in the FIR, who was armed with a firearm weapon and fired at complainant, who was sitting in a vehicle, however, in the alleged occurrence, no injury was suffered by anyone. He submits that the petitioner has been falsely implicated and after dismissal of his pre arrest bail application by Court of Sessions, the parties entered into a compromise. He prays that the petitioner be granted the concession of anticipatory bail.

During the course of hearing, it is not disputed that on the strength of the compromise, the petition for quashing of FIR was filed by the petitioner-accused, however, the same was withdrawn, as the compromise was not accepted by this Court in view of the gravity of offences.

After hearing the learned counsel and considering the seriousness of the offence, particularly the fact that the complainant has specifically named the petitioner in FIR, who allegedly fired two gunshots at him, the custodial interrogation of the petitioner may be necessary.

Resultantly, without meaning any expression of opinion on the merits of the case, this Court is not inclined to extend the extra ordinary concession of pre arrest bail to the petitioner.

Dismissed.

21.03.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes No
Yes No