

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

**CRM-M-20824-2022**

**Date of decision : 16.05.2022**

**Anmoldeep Singh**

**...Petitioner**

**Vs.**

**State of Punjab**

**...Respondent**

**CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. A.S.Manaise, Advocate for the petitioner.

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**MANOJ BAJAJ, J.**

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in case FIR No.65 dated 05.04.2022 under Sections 307, 323 and 34 Indian Penal Code, 1860 and Sections 25 and 27 Arms Act, 1959 registered at Police Station Lambi, District Sri Muktsar Sahib, who apprehends his arrest at the hands of Police.

The facts in brief leading to the petition are that on the basis of statement of Jaspreet Singh @ Jassu, the above FIR (Annexure P-1) was registered and the allegations contained in the same read as under:-

*“Stated that I am resident of above said address and engaged in labour work. Out house is situated near bus stop of village Fathepur Mania. Today I along with my brother Sukhpreet Singh @ Sukhu were going towards bus stop of the village. When we both reached the bus stop, then one white swift car bearing No.PB-04A-4582 was already standing there in which Navkaran Singh @ Navi son of Tarsem Singh, resident of Kakhawali, Anmol Singh Mann son of not known, resident of Adhnia, Gurmeet Singh Brar son of not known, resident of Abal Khurana and one unknown person was sitting. At about 1 PM, when we both brothers reached near the car, then all four of them came out of the car. Navkaran Singh @ Navi was armed with pistol, Anmol Singh Mann was armed with iron rod, Gurmeet Singh Brar was armed with iron rod. Then Navkaran Singh @ Navi raised a lalkara, “catch hold of them today, do not spare them.” Anmol Singh Mann gave a rod blow to me which hit on the left side of my forehead.*

*Then Gurmeet Singh Brar gave a rod blow to me which hit on the left side behind my head. Then Navkaran Singh @ Navi fired from his pistol at me with intention to kill me, upon which the gun shot hit on my right leg above the knee. Then my brother Sukhpreet Singh @ Sukhu came forward to save me, upon which they also caused injuries to my brother. When we raised cries, then all of them fled away from the spot on their car with their respective weapons. The bone of contention is that few days back I had a quarrel with Navkaran Singh @ Navi and due to this grudge, they have come with common intention and have caused injuries to me and my brother Sukhpreet Singh @ Sukhu. In the meantime, our paternal uncle Malkeet Singh son of Gulab Singh, resident of Fatehpur Mania came to the spot, who arranged for a conveyance and got us admitted at CHC, Lambi where we are under treatment. Legal action be taken against them.”*

Learned counsel for the petitioner has argued that the complainant has falsely implicated the petitioner, who was not even present at the spot. According to him, complainant and his brother are involved in drug peddling, but said activities are being opposed by the petitioner being President of “one Hope Welfare Society” by passing a resolution that entry of drug peddlers belonging to village Sehna Khera and Fatehpur Manian be stopped. In this regard, he has invited the attention of the Court to the resolutions dated 13.10.2021 and 04.12.2021, Annexures P-6 and P-7, respectively. Learned counsel has further argued that the complainant and his brother are accused in case FIR No.63 dated 01.05.2018 registered under Section 21 NDPS Act and FIR No.203 dated 03.09.2018 registered under Sections 323, 324, 341, 427, 458, 148 and 149 IPC registered at Police Station Lambi District Shri Muktsar Sahib (Annexures P-8 and P-9, respectively), therefore, custodial interrogation of the petitioner may not be necessary as the alleged injury attributed to the petitioner was found to be simple in nature. He prays for grant of anticipatory bail.

After hearing learned counsel for the petitioner and considering the above background, this Court finds that as per allegations by complainant, four persons were waiting at bus stop in a car and when complainant along with his brother reached there, they opened an attack on them. As per complainant's version, petitioner-Anmoldeep Singh was armed with iron rod, who caused injury on his head and his accomplice-Navkiran Singh @ Navi fired at him with his weapon. The MLR of the injured (Annexure P-2) describes three injuries suffered by the injured and injuries No.1 and 2 attributed to petitioner and his co-accused-Navkiran Singh co-relate to the allegations in the FIR.

During the course of hearing, it was not disputed by learned counsel that the victim/complainant and his brother belong to Village Fatehpur Manian and as per resolution they had decided to stop the alleged drug peddlers belonging to said village, who used to visit the village of the petitioner. Thus considering the above background, allegations in the FIR, wherein petitioner is specifically named, as well as the nature and seriousness of the offences, this Court does not find it to be a fit case for extending the concession of pre-arrest bail to the petitioner.

Resultantly, without meaning any expression or opinion on the merits of this case, no case is made out for grant of extra ordinary concession of pre-arrest bail to the petitioner.

Dismissed.

(MANOJ BAJAJ)  
JUDGE

16.05.2022

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Whether speaking/reasoned :  
Whether Reportable :

|     |    |
|-----|----|
| Yes | No |
| Yes | No |