

CRM-M-22317-2022

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

CRM-M-22317-2022

Date of decision:23.05.2022

Harmanjit Singh

...Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Rakesh Sobti, Advocate and
Mr. Jaskirat Singh Arora, Advocate,
for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.04 dated 09.01.2022, registered at Police Station Gharinda, District Amritsar (Rural), under Sections 307, 323, 324, 148, 149 and 506 IPC and Sections 25 and 27 of the Arms Act, 1959.

Learned counsel for the petitioner contends that the petitioner had allegedly given *datar* blows on the head of Joseph, son of the complainant, but injury entailing the offence under Section 307 IPC has not been attributed to the petitioner. Moreover, co-accused, namely, Neelam Kaur and Komal Gill @ Kamna Devi have since been granted the concession of anticipatory bail by the learned Addl. Sessions Judge, Amritsar, vide order dated 22.02.2022.

I have heard the learned counsel for the petitioner.

As per the prosecution version, when the complainant, on the way to his house, reached near the house of Dharam Singh, he found that

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his nephew Prince Gill alongwith 6-7 unknown persons were standing in the street; that one of those persons, a friend of Prince Gill, was holding a pistol in his hand; that when the complainant reached near them, Prince Gill had taken the pistol from his friend and fired four gun-shots aiming towards the complainant, and that the petitioner had given two *datar* blows on the head of Joseph, son of the complainant.

Learned Addl. Sessions Judge, Amritsar, while dismissing the bail application of the petitioner, noticed that the petitioner is stated to be the said friend of Prince Gill, who was having a pistol.

Keeping in view the nature and gravity of the offence, this Court finds that the petitioner is required for custodial interrogation to know the whereabouts of other accused and for recovery of the pistol. The petitioner cannot claim parity with co-accused, Neelam Kaur and Komal Gill @ Kamna Devi, for the reason that no specific role had been attributed to them.

Therefore, finding no merit in the present petition, the same is dismissed.

23.05.2022

parveen kumar

**(HARNARESH SINGH GILL)
JUDGE**

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No