

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25195-2022 (O&M)
Date of decision: 07.07.2022

Prabhjot Singh @ Prabhjit Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. N.K. Verma, Advocate for
Mr. Ankush Verma, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Saransh Sabharwal, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.78 dated 04.07.2021 under Sections 307, 336, 324, 323, 506, 148, 149 IPC and Sections 25 & 26 of Arms Act (Section 302 IPC was added later on), registered at Police Station Makhu, District Ferozepur.

Learned counsel for the petitioner submits that the FIR was registered at the instance of one Jagjit Singh against Gurmit Singh @ Kala, Kuldeep Singh @ Keepa, Heera Singh, Prabhjot Singh, Pavitar Singh and some unknown persons with the allegations that on 03.07.2021, when he along with

his son Amarjit Singh and nephew Gurjit Singh were ploughing the land, on three motorcycles, the accused persons named in the FIR, including the petitioner, came at the spot. They were armed with 12 bore gun, wooden sticks etc. and challenged the complainant side that they have wrongly taken their land on lease. In the meantime, petitioner Prabhjot Singh took 12 bore gun from Gurmit Singh @ Kala and fired two shots in the year, due to which the complainant side became panicked and came back to their house. It is further stated in the FIR that later on, again, when the complainant side was having a discussion for informing the incident to the police, the aforesaid persons including the petitioner came carrying 12 bore double barrel gun. Kuldeep Singh raised a lalkara. The complainant in the light of torch could identify all the accused persons. Thereafter, they attacked the complainant side. Gurmit Singh @ Kala fired a shot on his nephew Gurjit Singh, which hit on his forehead and later on, he died.

Learned counsel has submitted that wife of deceased Gurjit Singh, namely Rajwinder Kaur has filed CRM-M-38588-2021, with a prayer to issue directions to the official respondents to conduct proper investigation in the case, which is pending before this Court.

Learned State counsel, on instructions from ASI Kirpal Singh and assisted by learned counsel for the complainant, has submitted that after conducting proper investigation, challan has already been presented against accused Gurmit Singh @ Kala, Kuldeep Singh @ Keepa and Jaswant Singh and the petitioner is evading his arrest. It is further submitted that the petitioner is named in the FIR and since the challan has been presented qua aforesaid three

accused, allegations in the FIR are primarily found to be correct during the investigation.

After hearing learned counsel for the parties and considering the allegations in the FIR, I find no ground to grant anticipatory bail to the petitioner.

Accordingly, the present petition is dismissed.

07.07.2022
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[ARVIND SINGH SANGWAN]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No