

208 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-31312-2022
DECIDED ON:30th AUGUST, 2022

HARSH KAMAL

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Anshul Mangla, Advocate
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

Mr. Namit Khurana, Advocate
for the complainant.

SANDEEP MOUDGIL, J

The instant petition has been filed under Section 438 Cr.P.C for grant of pre-arrest bail to the petitioner in FIR No. 145, dated 11.06.2022, under Sections 307, 452, 506, 34 IPC and Section 25 of Arms Act, registered at Police Station Chhachhrauli, District Yamunanagar.

Brief facts of the case are that on 10.06.2022 at around 9.00 PM, a telephonic information was received in the Police Station with regard to firing incident with illegal ammunition on the part of some boys in the house of Gurmeet Singh. In response thereto, police party reached the spot where

Gurmeet Singh got recorded his statement alleging that two boys namely Amardeep Singh and Gagan of his village alongwith one more boy, came outside of his house on motorcycle bearing HR-71-H-1196 with an intention to kill his son Harmeet Singh and his family members during night time by entering his house. The fire shot passed from near complainant's ear. Later, when people started gathering on hearing noise. All the three sped away.

Learned counsel for the petitioner contends that the petitioner neither named in the FIR nor any specific role or overt act has been attributed to him. His assertion is that his name was surfaced on the basis of disclosure statement of the co-accused. There is a delay in lodging FIR. He contends that it is a case of no injury.

Learned State counsel assisted by Mr. Namit Khurana, Advocate for the complainant opposes the prayer for grant of pre-arrest bail to the petitioner stating that the petitioner actively participated in the occurrence. He, alongwith other accomplices, fired shot upon the complainant with an intention to kill him and his family members especially son. Assertion is that in case the petitioner is granted the concession of pre-arrest bail, there is every possibility of tampering with the prosecution evidence and win over the witnesses. Moreover, recovery of weapon used in the crime is yet to be effected. Accordingly, they pray for dismissal of present petition.

It is evident that the allegation against the petitioner is serious. The petitioner alongwith other accomplices trespassed into the house of complainant and fired gun shot upon him and proclaimed about his son to

come out, with an intention to kill.

Under these circumstances, no ground is thus found for extending the concession of pre-arrest bail to the petitioner. Investigating agency requires his custodial interrogation for taking the investigation to its logical end and effecting necessary recoveries.

Dismissed.

30th AUGUST, 2022
sham

(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>