

CRM-M-36139-2022

DECIDED ON: 24th AUGUST, 2022

DALBIR SINGH

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Sunil Kumar Pandey, Advocate for
Mr. Anoop Singh Sheoran, Advocate
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

SANDEEP MOUDGIL, J (ORAL)

In the instant petition, the petitioner has sought regular bail in FIR No.121, dated 02.06.2019, under Sections 147, 149, 302, 120-B of the Indian Penal Code, 1860 and Section 25 of the Arms Act, 1959, registered at Police Station Kalawali, District Sirsa, primarily on the ground that the other co-accused namely Raghubir Singh, Jasbir Kaur, Talwinder Singh, Darshan Singh, Hardeep Singh and Hargobind Singh have been granted the concession of regular bail by this Court, vide orders dated 05.07.2021 (passed in CRM-M-24214-2021), 30.09.2019 (passed in CRM-M-41254-2019), 15.07.2020 (passed in CRM-M-16006-2020), 25.01.2022 (passed in CRM-M-26459-2021), 08.09.2020 (passed in CRM-M-21213-2020) and 05.10.2020 (passed in CRM-M-30110-2020).

Mr. Karanjeet Singh Brar, Advocate has put in appearance on behalf of the complainant and filed his Memorandum of Appearance, which is taken on record. He contends that the petitioner is the main accused in the present case. He further submits that the petitioner armed with pistol fired a

shot at the back of the uncle of the complainant as a result of which, he fell down on the ground and then co-accused namely Sukhwant Singh fired two shots on the head of the uncle of the complainant. He further contended that the petition i.e. CRM-M-32110-2021 seeking regular bail of the co-accused of the petitioner, namely Sukhwant Singh was dismissed as withdrawn by this Court, vide order dated 12.07.2022. The aforesaid facts have not been controverted by the counsel for the petitioner.

Learned State counsel submits that the petitioner is the main accused and the country-made pistol has been recovered from his possession. He further submits that the petitioner is a habitual offender and is involved in three more cases. The details of which are as under:

- (i) FIR No.99, dated 16.05.2018, under Sections 147, 149, 323, 341, 325 & 506 IPC registered at Police Station Kalawali;
- (ii) FIR No. 119, dated 08.06.2018, under Sections 25 of Arms Act, registered at Police Station Kalawali; and
- (iii) FIR No. 339, dated 06.12.2015, under Sections 149, 285, 341, 427, 506 IPC and Section 25 of Arms Act, registered at Police Station Kalawali.

Keeping in view the allegation as well as the gravity of offence, this Court does not deem it a fit case to grant concession of regular bail to the petitioner.

Accordingly, the present petition is dismissed.

24.08.2022

Poonam Negi

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No

(SANDEEP MOUDGIL)
JUDGE