

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-37479-2022  
Reserved on: 31.08.2022  
Pronounced on: 07.09.2022

Sukhpreet Singh @ Sukha Singh @ Sukha ...Petitioner

Versus

State of Punjab ...Respondent

**CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA**

Present: Mr. O.P. Kamboj, Advocate for the petitioner.

Mr. Harsimar Singh Sitta, DAG, Punjab.

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**ANOOP CHITKARA, J.**

| FIR No. | Dated      | Police Station                         | Sections                                   |
|---------|------------|----------------------------------------|--------------------------------------------|
| 100     | 07.05.2022 | Sadar Ferozepur,<br>District Ferozepur | 307, 323, 34 IPC and 25/27 of<br>Arms Act. |

1. The petitioner apprehending arrest in the FIR captioned above has come up before this Court under Section 438 Cr.P.C. seeking anticipatory bail.
2. In paragraph 30 of the bail petition, the accused declares that he has no criminal antecedents.
3. Ld. Counsel for the petitioner contends that the custodial investigation would serve no purpose whatsoever, and the pre-trial incarceration would cause an irreversible injustice to the petitioner and family.
4. Ld. counsel representing the State opposes bail.

**REASONING:**

5. The specific allegations against the petitioner in FIR by name are that the petitioner fired three shots on the complainant party and one such shot hit on the abdomen of Akashdeep and had to be referred to PGI. The compromise states that Akashdeep was not sure who from the mob fired at him; however, this is a summersault from FIR where petitioner Sukhpreet Singh has been attributed three fire shots, one of which hit at the abdomen. Thus, the reasons for compromise are prima facie fake, flimsy, and untruthful and the compromise is yet to be accepted by this Court.

6. The contention of Alibi cannot be considered in the absence of the explanation and the place at which the petitioner was present at the time of the occurrence; thus, the statutory burden has not been prima facie discharged.
7. The allegations are serious and offence heinous. The evidence collected so far points out that the petitioner fired upon the victim. Given the nature of injuries and preparations made for such assault, it does not entitle the petitioner to bail at this stage.
8. An analysis of the allegations and evidence collected does not warrant the grant of bail to the petitioner.
9. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner fails to make a case for bail at this stage.
10. Any observation made hereinabove is neither an expression of opinion on the merits of the case nor shall the trial Court advert to these comments.

**Petition dismissed in aforesaid terms. All interim orders granting bail stand vacated.**

All pending applications, if any, stand disposed.

**(ANOOP CHITKARA)**  
**JUDGE**

**07.09.2022**  
**Jyoti-II**

Whether speaking/reasoned: Yes  
Whether reportable: No.