

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

CRM-M-47010-2022 (O&M)

Date of decision: 14.10.2022

Daljit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Vaibhav Narang, Advocate for the petitioner.

Mr. Joginder Pal Ratra, Sr. DAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through the instant petition under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in case FIR No. 105 dated 18.07.2022, registered under Sections 307, 148, 149 IPC and Sections 25, 27 of the Arms Act, 1959, at Police Station Chattiwind, Amritsar Rural.

Learned counsel for the petitioner submits that the dispute is regarding parking of Tractor-trolley and tying of cattle; that the petitioner has falsely been implicated in the present case; that the petitioner has a vacant plot adjoining to the house of complainant-Jatinder Singh and the family of the petitioner, since the time of his forefathers, used to tie their cattle in the said plot because there is a shade of tree and it is a vacant plot and nobody get disturbed; that the complainant intended to purchase the said plot and when the petitioner refused to sell the same, he has been implicated falsely in the

present case; that no such occurrence has taken place as alleged in the FIR and that one of the victim-injured, namely, Sukhbir Singh has also given an affidavit deposing therein that he does not know, who has given him firm arm injury and moreover, the FIR has been registered without assessing any medical report.

I have heard the learned counsel for the petitioner and have also gone through the documents on record.

Perusal of the documents would reveal that there are specific allegations against the petitioner and other co-accused. The petitioner was armed with a 12 bore gun and his mother-Ranjit Kaur and Satnam Singh, were armed with *Dang* and *Datar* respectively, and attacked on the complainant and other victims. Satnam Singh gave a *Datar* blow on the thumb of right hand and the petitioner has fired a gunshot on the right leg of the complainant and he also fired another gunshot on the person of Sukhbir Singh and the weapon used in the occurrence is yet to be recovered.

Considering the seriousness of the allegations contained in the FIR against the petitioner and other co-accused, the custodial interrogation of the petitioner is necessary and the weapon is yet to be recovered. Hence, the petitioner does not deserve the concession of anticipatory bail.

In view of the above, the present petition is dismissed.

(HARNARESH SINGH GILL)
JUDGE

14.10.2022

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No