

101 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-3129-2023
Date of Decision: 20.01.2023

LAKHVIR SINGH ALIAS RINKU

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: Hon'ble Mr.Justice Deepak Sibal

Present: Mr.Rishu Mahajan, Advocate for the petitioner

Deepak Sibal, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.199 dated 06.12.2022 registered under Sections 323, 307, 148, 149 IPC and Sections 25, 54 of Arms Act, 1959 at Police Station Kartarpur, District Jalandhar Rural.

Briefly stated, the case of the prosecution is that the petitioner alongwith his co-accused, who were all armed with deadly weapons, which included swords and a gun, attacked the complainant in the course of which co-accused – Vijay fired on the complainant causing a gun shot injury on the right side of his chest.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case only because he is related to the main accused – Vijay; the petitioner was not armed with any weapon; even if the case of the prosecution is taken as the gospel truth, though vehemently denied, no injury is attributed to the petitioner and that the petitioner is also

ready and willing to join and cooperate with the investigation.

Learned counsel for the petitioner has been heard and with his able assistance the record of the case has also been perused.

The petitioner and his co-accused, all armed with deadly weapons like swords, khandas and a gun are alleged to have all come together and attacked the complainant in the course of which co-accused-Vijay is attributed a gun shot injury on the left side of the complainant's chest.

In the light of the afore serious allegations against the petitioner and because recovery of the weapon with which the petitioner was allegedly armed with as also to find out the basis for the common intention of the petitioner and his co-accused behind the murderous assault on the complainant this Court is of the opinion that the petitioner's custodial interrogation is necessary.

Dismissed.

20.01.2023
gk

(Deepak Sibal)
Judge

Whether speaking/ reasoned: Yes/No
Whether Reportable: Yes/No