

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25477 of 2023
Date of Decision:18.05.2023.

Lovepreet Singh

.....Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Abhinav Jain, Advocate
for the petitioner.

VIKRAM AGGARWAL, J. (ORAL)

1. Prayer in the present petition filed under Section 438 Cr.P.C., is for the grant of pre-arrest bail in case FIR No.0227 dated 19.10.2022, under Section 307, 34 of the Indian Penal Code, 1860 and Sections 25, 27 of the Arms Act, 1959, registered at Police Station City, Moga, District Moga, Punjab (Annexure P-1)
2. On the statement of Senior Constable Mandeep Singh, the present FIR was registered. It was alleged that on 17.10.2022, at around 9.00 PM, he along with other Police Officers was carrying out investigation in another case and a special team of the Delhi Police was also with them. Two persons were being chased. They were tried to be apprehended. One person out of these two fired upon the police party. A bullet struck Senior Constable Mandeep Singh in his stomach. The person who was alleged to have fired the shot fled from the spot, but the second person was apprehended. His name was found to be Gagandeep Singh and on interrogation, he disclosed that the person who had fired the shot was the present petitioner i.e. Lovepreet Singh.
3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated. It has been contended that there is no identification of the

disclosure statement, disclosed the name of the petitioner. It has been submitted that this statement would not be admissible in evidence. Learned counsel further contends that the petitioner is willing to join investigation and abide by any condition imposed by this Court.

4. I have considered the submissions made by learned counsel for the petitioner but find the same to be devoid of merit.

5. On 17.10.2022, a team of the Punjab Police along with a special team of the Delhi Police were out to arrest accused persons in FIR No.111 dated 25.05.2022, under Section 21B and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Phillaur. Two persons were being chased by the police party, out of whom one fired at the police. The person who had open fired fled from the spot and the second person was apprehended who disclosed his name as Gagandeep Singh. On interrogation, he disclosed that the person who had open fired was the present petitioner i.e., Lovepreet Singh. The argument that the disclosure statement would not be admissible in evidence, is devoid of merit. The case is still at the stage of investigation. Allegations are very serious. In the considered opinion of this Court, custodial interrogation of the petitioner will be imperative to elicit the truth.

In view of the above, I do not find any merit in the present petition for the grant of pre-arrest bail and the same is hereby dismissed.

May 18th, 2023
Rekha

(VIKRAM AGGARWAL)
JUDGE

Whether speaking/reasoned : *Yes/No.*
Whether reportable : *Yes/No.*