

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

CRM-M-36289-2022

Date of Decision: 2nd February, 2023

Sandeep Singh @ Laddi

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. APS Sandhu, Advocate for the petitioner.

Mr. Iqbal Singh Mann, Deputy Advocate General, Punjab.

AVNEESH JHINGAN , J.(Oral)

1. Petition under Section 438 Cr.P.C. is filed for grant of anticipatory bail in FIR No. 0127 dated 9.6.2022 under Sections 452, 336, 341, 323, 506, 148, 149 IPC, 1860 and Section 25 of Arms Act, 1959 registered at P.S.Chheharta, District Police Commissionerate Amritsar.

2. The FIR was registered at the instance of Didar Singh @ Mithu. As per allegations, on 8.6.2022 the complainant and his friend were hit by Activa and there was an altercation. The riders Ram Singh and Vishal @ Bha went away and came back near Ujjagar Karyana Store along with Ram Singh @ Bau, Sukhchain Singh @ Bambi, Daler Singh, Vishal @ Bha, Raja @ Dadu, Gori, Laddi (petitioner), Rocky and Sonu along with other unknown persons and gave beatings to the complainant. Thereafter, on 9.6.2022, Sukhchain Singh @ Bambi and Ram Singh @ Khau armed with pistol, Daler Singh and Vishal @ Bha armed with baseballs, Raja @ Dadu, Gauri, Laddi (petitioner), Rocky and

Sonu holding *daangs* entered the house of the complainant. The family of the complainant saved themselves by going to the roof top. The house hold items were sabotaged, injury was inflicted to Lovepreet Singh (nephew of the complainant). The accused fired shots in the air and threw stones towards the house of the complainant.

3. Learned counsel for the petitioner submits that it is a case of false implication. Contention is that taking the allegations at the highest the petitioner was armed with stones. He further submits that petitioner (Laddi) is not the person named in the FIR.

4. Learned counsel for the State opposes the bail and submits that in a pre-planned manner the accused attacked the house of the complainant and they were well armed. Sixteen empty cartridges of .32 bore were recovered from the place of occurrence and the petitioner is involved in another case also. He further submits that petitioner was specifically named in the FIR and co-accused in his disclosure stated that the petitioner was with them in the incident.

5. The altercation, a result of a road accident flared and after accident on same very day, the complainant was man handled by the accused. Thereafter, on 9.6.2022 the house of the complainant was attacked at 2:30 AM by the accused who were armed with fire arm weapons. The recovery of sixteen empty cartridges from place of occurrence indicates that fire arm weapons were openly used. To unearth the specific roles, custodial interrogation would be necessary. The allegations are serious, it was a pre planned attack with a common intention.

In the facts of the present case, petitioner would be in a position to tamper the evidence and influence the witnesses.

- 6. No case is made out for grant of anticipatory bail.
- 7. Petition is dismissed.
- 8. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

(AVNEESH JHINGAN)
JUDGE

2nd February, 2023
anuradha

Whether reasoned/speaking	Yes/No
Whether reportable	Yes/No