



CRM-M-20620-2024 and another connected matter

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210 & 210-2 (2 cases)

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

Date of Decision:- 13.12.2024

(1)

CRM-M-20620-2024

Gurnam Singh @ Sona Singh

...Petitioner

Vs.

State of Punjab

...Respondent

(2)

CRM-M-20651-2024

Hardeep Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Amit Arora, Advocate
for petitioner in CRM-M-20620-2024.

Ms. Satwant Mehta, Advocate
for petitioner in CRM-M-20651-2024.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

AMARJOT BHATTI, J.

1. The petitioner(s) – Gurnam Singh @ Sona Singh and Hardeep Singh have filed separate petitions for grant of anticipatory bail in FIR No. 105 dated 28.09.2023, under Sections 307, 452, 148, 149, 201 of IPC, 1860 read with Sections 25, 27 of Arms Act, 1959, registered at Police Station

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Khalra, District Tarn Taran. These petitions have arisen out of same FIR, therefore, both petitions are taken up together for disposal.

2. Facts of the case are that Madan Singh @ Maddi gave his statement that on 27.09.2023 at about 6:30 PM, he had gone to the house of his brother Sukha Singh along with his wife for domestic work. His nephew Rinku heard noise in front of the door and when he came outside the house of his brother Sukha Singh, he saw Rajpal Singh armed with 12 bore Double Barrel Breech Loading (DBBL) rifle, Daler Singh armed with 12 bore DBBL rifle, Akash Singh armed with *datar*, Sona Singh armed with pistol, Hardeep Singh armed with *datar*, Jodha Singh armed with Kappa, Karan Singh armed with pistol, Pala Singh armed with 315 bore rifle along with 8-10 unidentified persons were abusing and giving threats. They entered the house of Rinku @ Lalla who out of fear ran towards the roof of the house. All armed persons started firing gunshots with their respective weapons. Daler Singh fired directly from his 12 bore DBBL rifle upon Rinku @ Lalla and it hit on his thigh, as a result, he fell down. Gunshots fired by other accused hit on the water tank on the roof. Many persons collected there. On alarm raised by them, the assailants ran away with their respective weapons on their vehicles. Rinku @ Lalla was taken to hospital for treatment. With these allegations, present FIR has been registered.

3. Learned counsel for petitioner – Gurnam Singh @ Sona Singh in CRM-M-20620-2024 argued that allegations levelled against him are false and without any basis. It is a case of version and cross-version. No overt

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act is attributed to him. He does not have any pistol licensed or unlicensed and he can give affidavit in this regard. Other co-accused Rajpal Singh, Jagjit Singh alias Jodha and Khushbeer Singh alias Akash Singh have been granted anticipatory bail by learned Additional Sessions Judge, Tarn Taran. Copies of their bail orders are Annexure P-1 to P-3. Petitioner was granted interim bail vide order dated 25.04.2024 and he has already joined the investigation. Therefore, his anticipatory bail petition may be allowed.

4. Learned counsel for petitioner – Hardeep Singh in CRM-M-20651-2024 argued that as per the facts narrated in the FIR, petitioner was allegedly armed with *datar*. Allegations levelled against him are false. No injury is attributed to him. He was not carrying any weapon. Apart from the points raised in the bail petition of co-accused, it is further pointed out that petitioner was also granted interim bail vide order dated 26.04.2024 and in pursuance of this, he has already joined the investigation. He will abide by the terms of bail order. Therefore, interim bail already granted in his favour may be confirmed.

5. Learned counsel representing State opposed the bail petitions. Separate status reports are filed in both the aforesaid bail petitions taking the stand that both petitioners are specifically named. They along with other co-accused constituted unlawful assembly and in furtherance of common object armed with deadly firearm weapons and other weapons attacked Rinku @ Lalla by entering into his house who received fire arm injury on his leg. Petitioners joined the investigation but did not cooperate. Weapons of offence are yet to be recovered.

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6. I have considered the arguments and have gone through the record carefully. The contents of FIR indicate that both petitioners are specifically named. Gurnam Singh @ Sona Singh was allegedly armed with pistol whereas Hardeep Singh was armed with *datar*. They along with other co-accused attacked Rinku @ Lalla who received fire arm injury on his thigh. Petitioners were granted interim bail subject to the condition that they will join investigation and will fully cooperate. Despite interim relief, petitioners did not cooperate with the investigating agency. As a result, the weapons allegedly used in the occurrence could not be recovered. Therefore, investigation is still incomplete.

7. Considering the aforesaid factual position, interim bail already granted in favour of petitioner-Gurnam Singh @ Sona Singh in CRM-M-20620-2024 vide order dated 25.04.2024 and Hardeep Singh in CRM-M-20651-2024 vide order dated 26.04.2024 stand vacated and both anticipatory bail petitions are accordingly declined.

8. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

9. Photocopy of this order be placed on the file of connected case mentioned above.

13.12.2024

*Sunil Devi***(AMARJOT BHATTI)**
JUDGEWhether speaking/reasoned:
Whether reportable:Yes/No
Yes/No