



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

210

CRM-M-24849-2024

Date of decision: 05.08.2024

Daljeet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Arshdeep, Advocate
for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.160 dated 11.12.2023 under Sections 436, 506, 148, 149 of the IPC, registered at Police Station Sadar Jalalabad, District Fazilka.

2. Learned counsel for the petitioner submits that in compliance of the following order passed by a Coordinate Bench, the petitioner has joined investigation and thus the interim order dated 17.05.2024 be made absolute:-

“Ld. Counsel for the petitioner inter alia submits that there is an unexplained inordinate delay of 5 days in registration of FIR.”

3. Learned State counsel, on instructions, has not disputed the factum of the petitioner having joined investigation, however, attention of this Court has been drawn to the serious allegations levelled in the



FIR which has been annexed as Annexure P-1 and which stands reproduced as under:-

“Statement of Ashok Kumar son of Sh. Jagan Nath, resident of Prabhat Singh Wala, aged about 55 years, Mobile No.94173-66474. Stated that I am resident of above said address and is running a Karyana shop on the chowk of village Prabhat Singh Wala Uttar. On 06.12.2023 at about 8 PM, Daljit Singh @ Gopi son of Mahinder Singh resident of Prabhat Singh Wala and Jaswant Singh @ Jassi son of Gurdeep Singh resident of Dhandi Qadim came at my shop. They asked 2 cigarettes and sweet worth Rs.20/- from me, to whom I gave 2 cigarettes and sweet who told that we will give the money later. After sometime, they came at my shop and asked for tobacco and I gave it to them and demanded Rs.60/ then both of them started abusing me and started throwing bricks and pavels from outside my shop. On raising the alarm of other customers standing inside the shop, they fled away. After sometime at about 9 PM, Daljit Singh, Jaswant Singh @ Jassi and Mahinder Singh son of Gajjan Singh and 3-4 unknown persons also came and raising lalkaras that you have asked money against articles from us, today we will shoot you. Upon which Daljit Singh @ Gopi take out the pistol which did not shoot suddenly. I and my daughter was inside the shop at that time, we closed the shutter. Then on 11 PM, they all of them brought the petrol and sprinkled it on both the shutters of my shop and set my shop into fire. Due to fire, all these persons fled away from the spot. The whole incident regarding setting the fire is recorded in CCTV cameras. Upon my alarm, neighbours gathered on the spot. Out of whom, Mukhtiar Singh son of Dona Singh, my son Sahil Papneja and I controlled the fire by throwing water due to which my shop counter and articles lying in the counter was burnt with which I suffered a loss of about Rs.50,000/-. If the fire was not controlled then there would be more financial loss and they are still extending life threats to me and my family that we will not let you live in the village. Appropriate legal action be taken against them.....”

4. A perusal of the aforesaid allegations levelled in the FIR reveals that the petitioner has been specifically named in the FIR in question; he along with the co-accused came to the shop of the complainant armed with lethal weapons including a pistol and



attempted to shoot the complainant with it, however, the complainant had a providential escape as the pistol misfired. Thereafter, the petitioner along with the co-accused brought petrol and sprinkled it on the shop of the complainant as a result of which the shop was set ablaze which fact has been recorded in a CCTV camera as well. Resultantly, the complainant incurred heavy losses as well. It has also been brought to the notice of this Court that the petitioner has criminal antecedents as he is involved in two other criminal cases including for offence punishable under Section 307 of the IPC.

5. I have heard learned counsel for the parties and perused the relevant material on record.

6. Prima facie, there are serious and specific allegations against the petitioner of having attempted to shoot the complainant and set the shop of the complainant ablaze, which fact has been recorded in a CCTV camera as well. In the facts and circumstances as enumerated hereinabove, this Court is not inclined to extend the extraordinary concession of anticipatory bail to the petitioner.

7. Accordingly, the instant petition is hereby dismissed.

8. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

05.08.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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