



CRM-M-25511-2024 and other connected matters

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202 (3 cases) + 203

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

Date of Decision:- 31.08.2024

(1)

CRM-M-25511-2024

Rahul s/o Raju

...Petitioner

Vs.

State of Punjab

...Respondent

(2)

CRM-M-26703-2024

Rahul s/o Billa

...Petitioner

Vs.

State of Punjab

...Respondent

(3)

CRM-M-28074-2024

Sahil Sharma

...Petitioner

Vs.

State of Punjab

...Respondent

(4)

CRM-M-34334-2024

Nikhil

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

**Present:- Mr. Amandeep Singh Sidhu, Advocate
for the petitioner in CRM-M-25511-2024.**



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Mr. J.S. Kataria, Advocate with
Mr. Abhishek Sharma, Advocate and
Ms. Pawandeep Kaur, Advocate
for the petitioner in CRM-M-26703-2024.

Mr. Varun Chhibba, Advocate
for the petitioner in CRM-M-28074-2024.

Mr. Ashish Nagar, Advocate
for the petitioner in CRM-M-34334-2024.

Mr. Neeraj Madaan, Sr. DAG, Punjab

AMARJOT BHATTI, J.

1. The petitioners – Rahul s/o Raju, Rahul s/o Billa, Sahil Sharma and Nikhil have filed separate petitions under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of pre-arrest/anticipatory bail in FIR No. 18 dated 07.03.2024 under Sections 336, 427, 148, 149, 120-B of Indian Penal Code, 1860 and Sections 25 and 27 of Arms Act (Sections 307 and 160 of IPC added later on), registered at Police Station Daresi, District Police Commissionerate, Ludhiana. All the aforesaid petitions have arisen out of same FIR, therefore, they are taken up together for disposal.

2. Brief facts of the case are ASI Sukhwinder Singh alongwith police party was present at Police Station when information was received regarding a fight which took place near the area of shrine of Baba Ghori Shah Dargah in the area of Vijay Nagar, Ludhiana. The Investigating Officer and his police party reached on the spot and found that one Baleno Car No. PB-10-HR-9472 colour dark grey was vandalized by some unknown persons. CCTV cameras installed in nearby areas were checked and it was found that on 06.03.2024 at about 09:10 pm, unknown persons



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came on two Activas and two motorcycles towards shrine of Baba Ghor Shah Dargah. In the meantime, Mercedes car bearing No. PB-03-AC-8295 came towards the aforesaid shrine followed by another car bearing No. PB-10-HR-9472. Persons travelling in Mercedes car stopped Baleno car. Unknown person came out from Mercedes car and fired single shot on aforesaid Baleno car. Person travelling in Baleno car fled away from the spot. Unknown persons on Activas and motorcycles smashed Baleno car with their sticks and brick and fires were shot in the air. In the said occurrence, 10-11 unknown persons were involved. With these allegations, present FIR was registered.

Investigation was carried out and it was revealed that due to old rivalry there was war between gangs of Mowish Bains and Mattu. Rahul alias Jatt was sitting in Baleno car, whereas, from the side of Mowish Bains' gang, there were persons namely Mowish, Abhishek, Parkash Tibba, Locha, Bhola, Mulla, Hunny Gill, Naresh, Jassa Malli and Himanshu Mahisi.

3. Learned counsel(s) for petitioner(s) pointed out that petitioners have already joined investigation. Present petitioners are not specifically named. They have fully cooperated in investigation and one Scooty is also recovered from Sahil Sharma. They are still ready to abide by terms of bail order. Therefore, interim bail(s) already granted in their favour may be confirmed.

4. Bail petitions are opposed by learned counsel representing State. Detailed status reports have been filed in petitions i.e. CRM-M-26703-



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2024 and CRM-M-34334-2024, which can be read in other two petitions i.e. CRM-M-25511-2024 and CRM-M-28074-2024, since petitioners in said cases are involved in same FIR. Learned counsel representing State opposed bail petitions by alleging that from the present petitioners names of other co-accused are to be inquired. However, it is conceded that as per interim bail granted in their favour, they have already joined investigation.

5. I have considered the arguments and have gone through the record. Present petitioners were granted interim bail(s) and in pursuance of this, they have joined investigation and cooperated in recovery of Scooty also. So far as names of co-accused are concerned, perusal of status report shows that Investigating Agency is fully aware of the members of Mattu Gang and Mowish Bains Gang. Police came into action when alleged incident had already taken place. Considering the facts of case and without expressing my mind on the merits, interim bail(s) already granted to petitioners namely Rahul s/o Raju, Rahul s/o Billa, Sahil Sharma and Nikhil vide order(s) dated 20.05.2024 in CRM-M-25511-2024, 24.05.2024 in CRM-M-26703-2024, 30.05.2024 in CRM-M-28074-2024 and 22.07.2024 in CRM-M-34334-2024 respectively stands confirmed, subject to same terms and conditions as enshrined under Section 438(2) Cr.P.C.

6. Petitions are accordingly, accepted.

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

31.08.2024

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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No