



CRM-M-34852-2024

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

201

CRM-M-34852-2024

Date of Decision:- 06.11.2024

Kamalpreet Singh @ Kawalpreet Singh

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Sandeep S.Majithia, Advocate,
Mr. Shivdeep, Advocate and
Ms. Chandanpreet Kaur Ahluwalia, Advocate for petitioner.

Mr. Kewal Singh, Addl. A.G., Punjab.

AMARJOT BHATTI, J.

1. Kamalpreet Singh @ Kawalpreet Singh has filed anticipatory bail in FIR No.41 dated 23.06.2024 (Annexure P-1), under Sections 307, 506, 34 of IPC and Section 25/27/54/59 of Arms Act, registered at Police Station Chohla Sahib, District Tarn Taran.

2. As per the facts of the case, Simranjit Singh gave his statement that he along with Om Parkash worked together by taking contract to extract sand in government auction. On 23.08.2024 at about 2:00 PM, Om Parkash received call from Partap Singh that he wanted to meet him in connection with sand mining. He was called at Jalsa Restaurant, Marhana. Two persons came there, one of them disclosed his name as Partap Singh.

He was made to sit in his vehicle. Partap Singh told him to clear account

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with Kamalpreet Singh @ Kawalpreet Singh to which complainant stated that he has nothing to do with Kamalpreet Singh @ Kawalpreet Singh. He came out of Jalsa Restaurant after taking tea. After some time Kamalpreet Singh @ Kawalpreet Singh along with one unidentified person came outside the restaurant and started abusing. He tried to take out pistol from his pocket and on this he pushed him and scuffle took place. Pistol of Kamalpreet Singh @ Kawalpreet Singh fell down. Kamalpreet Singh @ Kawalpreet Singh and his companions ran away. One of the unknown person took out 315 bore pistol and fired shot directly towards them with an intention to kill. They also hide themselves in the bathrooms of Jalsa Restaurant. Complainant also fired shot from his licensed pistol in his defence. Kamalpreet Singh @ Kawalpreet Singh again came on the spot, picked up his pistol and he along with his companions fled away towards Tarn Taran on their I-20 car. With these allegations, present FIR has been registered.

3. Learned counsel for petitioner argued that allegations levelled against him are false. It is a case of no injury. In fact, it is a case of version and cross version. It was Kamalpreet Singh @ Kawalpreet Singh who had received injury. Copy of his MLR is Annexure P-3. As per the directions of this Court vide order dated 23.07.2024 he has joined investigation and fully cooperated with the investigating agency. He is still ready to abide by the terms of bail order. It is prayed that his anticipatory bail petition may be allowed.

4. Learned counsel representing State filed status report which is taken on record. It is confirmed that present petitioner has joined the investigation on 26.07.2024. He has handed over his licensed weapons

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pistol 32 bore and rifle spring field 315 bore. On the version of present petitioner, DDR No.18 dated 24.06.2024, under Section 307, 323, 34 of IPC and Section 25/27 of Arms Act was registered at Police Station Chohla Sahib, District Tarn Taran. MLR of present petitioner is also placed on record. Therefore, it is confirmed that petitioner is not required for further investigation.

5. Considering the aforesaid factual position, it is clear that it is a case of version and cross version. Petitioner has joined the investigation and fully cooperated. Alleged weapons of offence are also taken into police possession. Petitioner is not required for further investigation. Therefore, no purpose would be served by sending the petitioner behind the bars. Accordingly, anticipatory bail petition filed by petitioner – Kamalpreet Singh @ Kawalpreet Singh is allowed. He be not arrested. In case of his arrest, he be released on bail to the satisfaction of Arresting/Investigating Officer concerned, subject to condition that petitioner will join investigation as and when required. He will not tamper with or interfere with investigation and will not leave country without prior permission as provided under Section 438(2) Cr.P.C.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly.

06.11.2024*Sunil Devi***(AMARJOT BHATTI)
JUDGE**Whether speaking/reasoned:
Whether reportable:Yes/No
Yes/No