

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

213

CRM-M-46526-2024 (O&M)
Date of Decision:- 09.12.2024

SURINDER SINGH

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Sandeep Arora, Advocate
for the petitioner.

Mr. Ankit Grewal, DAG Punjab.

Mr. Ankur Bansal, Advocate
for the complainant.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 Bharatiya
Nagarik Suraksha Sanhita, 2023, petitioner seeks anticipatory bail in case
FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
161	05.08.2024	109(1), 190, 191, 115(1), 249 of BNS; 25 of the Arms Act	Division No.8, Police Commissionerate Jalandhar

2. It is *inter alia* contended by learned counsel for the petitioner
that the petitioner is innocent and has been falsely implicated in the case. He



contends that one Manga has been alleged to be one of the assailants, whom the police claims to be the present petitioner. He submits that the petitioner was never known as Manga and he is ready to join investigation, hence prayed for grant of anticipatory bail to the petitioner.

3. *Per contra*, learned State counsel assisted by learned counsel for the complainant while referring to the short reply submitted by State, contends that the petitioner had actively participated in the occurrence, wherein he had attacked the complainant with *datar* and this fact is evident from the perusal of the CCTV footage, besides his accomplices had fired gunshots on the complainant party. He submits that the custodial interrogation of the petitioner is required to recover the weapons used in the commission of crime. Thus, prayed for dismissal of the bail petition.

4. After considering the rival contentions and perusing the record, it transpires that the instant FIR was registered by one Gagan Khara claiming that on the fateful day at about 02/02:30 PM, he accompanied with his friend Sonu had gone to the petitioner's place and on the way near Pathankot Chowk, the petitioner along with 6-7 accomplices met them and a fight took place and some gunshots were also fired. The petitioner is alleged to have given *datar* blow, which fact is evident from the perusal of the CCTV footage. Admittedly, the petitioner is found seen in the CCTV footage attacking with *datar* and the custodial interrogation of the petitioner is required to recover the weapon.

5. Therefore, considering the nature and gravity of offence, it is observed that no case is made out in favour of the petitioner for grant of

anticipatory bail, as a consequence, the petition is hereby dismissed.

6. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

09.12.2024
S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No