



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

108

CRM-M-53577-2024
Date of Decision : **October 28, 2024**

LOVEPREET SINGH ALIAS CHEENIPetitioner

VERSUS

STATE OF PUNJABRespondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Pankaj Kalia, Advocate for the petitioner.
Mr. Pardeep Bajaj, DAG, Punjab.

KULDEEP TIWARI, J. (Oral)

1. Through the instant petition filed under Section 482 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, prayer is made for grant of anticipatory bail to the petitioner in case FIR No.23 dated 24.2.2022, under Sections 302, 148, 149 IPC and under Section 25 of the Arms Act, 1959, registered at Police Station Kamboj, District Amritsar.
2. The allegations, as culled out by the learned Additional Sessions Judge, Amritsar while declining the relief of anticipatory bail, read as under:-

“Complainant Balwinder Singh has been working as a truck driver and and his brother Jaswinder Singh was working as a painter. On 24.02.2022, at about 7.45 p.m., Jaswinder Singh was standing on the road, outside his house near main Mandir Wali Gali and complainant with his friend Nachhatar Singh alias Kaka and father Joginder Singh were standing little away from Jaswinder Singh in the street. Suddenly Mann, Cheeni, Rohit alas Adda, Kakku and Mithu came in a bolero vehicle and besides them, 4/5 other unidentified persons came in an Innova vehicle. Immediately,

Mann alighted from the bolero vehicle and fired shots from his pistol towards Jaswinder Singh with an intention to kill him and one of the shots hit on the hip of Jaswinder Singh due to which Jaswinder Singh fell down on the road and sustained injuries on his forehead and right eye. When complainant and others came forward to rescue Jaswinder Singh, assailants fired shots from their respective weapons towards them and then assailants fled away from spot. Jaswinder Singh was taken to Hartej Hospital, Amritsar, where the doctors declared him brought dead.”

3. The allegations reflect that the petitioner has played an active role in the instant crime, as he was in association with the main accused, who opened fire, which resulted in the murder of one Jaswinder Singh. The petitioner is also stated to be involved in two other cases, the details of which read as under:-

i) FIR No.299 of 2022, under Sections 468, 471 IPC, under Section 25 of the Arms Act, under Section 12 of the Passport Act and under Section 4-B of the Explosive Act, registered at Police Station Special Cell, Delhi.

ii) FIR No.23 dated 24.2.2022, under Sections 302, 148, 149 IPC and under Section 25 of the Arms Act, registered at Police Station Kamboj, District Amritsar.

4. Since the specific role has been attributed to the present petitioner in the instant FIR and the petitioner is a habitual offender, therefore, the instant petition is, hereby, **dismissed**.

October 28, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No