



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

259

CRM-M-40613-2024 (O&M)
Date of Decision:- 18.03.2025

VARINDER SINGH ALIAS BOBBY

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. R.S. Sekhon, Advocate for the petitioner.

Mr. Ankit Grewal, DAG Punjab.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 483 BNSS, 2023 for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
57	21.10.2023	379-B, 341, 34, 506 IPC; 25 of the Arms Act; (307, 379, 411 IPC and 27 Arms Act added later on)	Smalsar, Disrict Moga

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He submits that the petitioner is in custody since 26.10.2023 and no specific overt act is attributed to the petitioner nor any injury has been allegedly caused by him in the occurrence. Challan has already been presented in Court and the conclusion of trial will take sufficient long time. Thus prays for grant of concession of bail to the petitioner.



3. *Per contra*, learned State counsel while referring to the short reply filed by the State has opposed the petition by arguing that there are specific allegations against the petitioner of having fired on the police party with his pistol with intent to kill, but was overpowered by the police party and from his possession one pistol 765 MM along with 4 live cartridges and one empty cartridge was recovered besides one stolen motorcycle. As such the petitioner is not entitled to the concession of bail.

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it is observed that the case of the prosecution is that on 21.10.2023, the complainant was going on his motorcycle from Village Bhaloor to Mehla Kalan at 02:00 PM after making collection from SM Sanitary store from Kot Sukhia, then two young men with muffled faces came on a motorcycle and way laid him and snatched the ignition key of the motorcycle. The pillion rider took out a revolver and pointed the same on the head of the complainant and threatened to kill him. Whereas, the rider of the motorcycle snatched his mobile phone and his wallet having ₹4200/- along with his Aadhaar Card, PAN card, Debit Card and Driving licence. During the course of investigation, the complainant got recorded his supplementary statement, thereby naming Satikar Singh as rider of the motorcycle and Kharak Singh as pillion rider. Thereafter, Satikar Singh was apprehended and upon his disclosure statement the revolver used in the commission of offence was recovered along with live cartridge. He also disclosed having procured the revolver along with cartridge from the petitioner and accordingly the



petitioner was nominated in the case vide DDR No.19 dated 26.10.2023. As per the case of prosecution, when the police party laid a *nakka* in the area of Kotkapura Road, Smalsar they noticed the petitioner coming on a motorcycle without registration number, who on seeing the police party tried to turn back but the engine of the motorcycle stopped. The petitioner pulled out a pistol and opened fire directly on the police party with intent to kill but was overpowered by the police party and from his possession, one pistol with 4 live cartridges and one used cartridge were recovered, besides the stolen motorcycle. After the completion of investigation, challan was presented in Court.

6. There are specific allegations against the petitioner of having opened fire from his pistol upon the police party when apprehended at the *nakka* and the said pistol along with 4 live cartridges and one empty cartridge were recovered from the possession of the petitioner along with stolen motorcycle.

7. In these circumstances, considering the serious nature and gravity of offence involved, the petitioner is not entitled to the concession of bail at this stage. Accordingly, the present petition is dismissed.

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

(SANJIV BERRY)
JUDGE

18.03.2025

S.Sharma(syr)

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