

(2011) 03 P&H CK 0767

High Court Of Punjab And Haryana At Chandigarh

Case No: Criminal Miscellaneous No. M-7890 of 2011

Baldev Singh

APPELLANT

Vs

State of Punjab

RESPONDENT

Date of Decision: March 23, 2011

Acts Referred:

- Criminal Procedure Code, 1973 (CrPC) - Section 307, 34, 438, 54, 59

Hon'ble Judges: Rajan Gupta, J

Bench: Single Bench

Final Decision: Dismissed

Judgement

Rajan Gupta, J.

This is a petition filed u/s 438 of the Code of Criminal Procedure seeking pre-arrest bail in a case registered against the Petitioner vide FIR No. 131 dated 28.06.2010 under Sections 307/34 IPC read with Sections 25/54/59 at Police Station Sadar, District Ludhiana.

2. Learned Counsel for the Petitioner contends that there was some property dispute in which Jasbir Kaur was involved. According to him, the Petitioner has been falsely implicated in the case and he is no way connected with Jasbir Kaur.

3. Learned State Counsel has opposed the prayer for bail. He submits that in the alleged occurrence two shots were fired; one by Jasbir Kaur and another by Petitioner. The shot fired by Petitioner hit the right thigh of Parminder Singh. He submits that custodial interrogation of the Petitioner is required.

4. I have heard learned Counsel for the parties.

5. According to allegations, the occurrence took place as a result of some property dispute between the complainant namely Marshal Brar and Jasbir Kaur. In the said occurrence, certain shots were fired while Jasbir Kaur is alleged to have fired from her revolver causing injury on right thigh of the complainant, the Petitioner is

alleged to have fired by another firearm giving pellet injury on the person of Parminder Singh.

6. In view of nature of occurrence and the offence alleged to have been committed, I am of the considered view that Petitioner is not entitled to concession of pre-arrest bail.

7. The petition is devoid of merit and is hereby dismissed.