

Present: Sh. H.S.Chhahar, Advocate, Counsel for bail-applicant.

Sh. H.R.Goyal, Addl. Public Prosecutor for State.

1. The bail application put up before me as Duty Officer.

2. The **police record** produced and perused.

3. Heard.

4. From the police record, it is evident that **FIR no.0152 dated 31.07.2020** was registered U/s 158, 160, 336, 307, 148, 149, 120-B, 188 IPC, **Section 25 / 27 of Arms act** and **Section 51 of Disaster Management Act, 2005** against Gurjit Singh, Yadwinder Singh @ Jaadi, Gagandeep Singh @ Gaggi, Hargobind Singh @ Gobindi, Gurtej Singh @ Kabootar, Nonnu Singh, Monu Singh, Lallu Singh (co-accused) and unknown person. From the FIR, it is evident that on 31.07.2020, when the police party while on patrol duty in order to search for miscreants were present near truck union road link road, Dirba, an informer gave a tip off that on 31.07.2020, at about 9.00 P.M, there was clash taking place between two groups on account of old enmity and smuggling of liquor i.e. one party headed by Gurjit Singh, Yadwinder Singh @ Jaadi, Gagandeep Singh @ Gaggi along-with 22 / 23 persons, who were armed with deadly weapons like 'kirpan', iron rods, 'sotis' and the second party headed by Hargobind Singh @ Gobindi, Gurtej Singh @ Kabootar, Nonnu Singh and

Jaswinder Sheemar
A.S.J. / Duty Officer,
Sangrur.UID-PB0093,
Dt.23.09.2020

Monu Singh armed with deadly weapons like 'kirpan', iron rods, 'sotis' while pre-planning and both the parties were doing altercation and firing, had fled away from the spot.

5. From the record, it is apparent that the police party has swung into action on the basis of mere tip off regarding clash between two groups on account of old enmity. There is nothing on record that somebody was wounded in the clash of two groups. The investigating officer had played video on his mobile handset, in the Court that the bail-applicant had fired shot in air while piggy back on somebody. Therefore, it is clear cut case qua the bail-applicant that he has taken law in his hand at public place by firing shot in air with pistol / revolver, the recovery of which is required to be effected. The contention of Id. Counsel for bail-applicant not been nominated in the FIR, but covered from the cluster of unknown persons, is not tenable at this stage, and moreover, it is worthwhile to mention here that during interrogation of accused Gagandeep Singh @ Gaggi (co-accused) he had revealed the name of present bail-applicant. Since the occurrence has taken place at night time in grain market, i.e. public place and the bail-applicant being one of the member of assembly of assailants had taken active participation. Therefore, even if, no injury has been

caused, yet, the recovery of weapon, with which, the bail-applicant had fired shot in air, is to be effected, for which, custodial interrogation of bail-applicant is required. The case of co-accused, who have been granted anticipatory by the under-signed bail, has no bearing. The role of present bail-applicant is crystal clear, that he by firing shot in air has tried to create terror at public place.

6. On the basis of discussion made by me in the preceding paragraphs of the order, I do not deem this case fit, where the bail-applicant is entitled to anticipatory bail. Therefore, anticipatory bail application filed on behalf of bail-applicant stands **dismissed** being devoid of merits.

The observation made by the under-signed in the order, will have no bearing on the merits of the case.

Police record be returned.

The bail papers are ordered to be consigned to record room.

Announced in open court
Dt.23.09.2020.

Jaswinder Sheemar
Addl. Sessions Judge / Duty Officer,
Sangrur, (UID No.PB0093)

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Veena Saluja,
Stenographer-I

Certified that the order has been directly
dictated by the undersigned.

Dt.23.09.2020.

Jaswinder Sheemar
Addl. Sessions Judge / Duty Officer,
Sangrur, (UID No.PB0093)

Jaswinder Sheemar
A.S.J. / Duty Officer,
Sangrur.UID-PB0093,
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