

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-1994 of 2016 (O&M)

Date of Decision: 25.01.2016

Gagandeep Singh @ Gagnee

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

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

Mr. K.D. Sachdeva, Addl. A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.163 dated 20.9.2015 under sections 307, 148, 149 I.P.C and sections 25, 27, 54 of Arms Act, registered at Police Station, Dhuri Sadar, District Sangrur.

F.I.R was registered on the statement of Sukhbir Singh @ Kala. It was stated that on 19.9.2015 a Kabaddi Tournament was organized in the stadium of the village. At that point of time present petitioner along with co-accused Gurdeep Singh and others were present and had consumed liquor and were creating ruckus. Under such situation, the petitioner, co-accused Gurdeep Singh and others were forced out of the stadium. During such occurrence on 19.9.2015 Gurdeep Singh co-accused is stated to have taken out a revolver but did not fire any shot.

On the following day i.e. on 20.9.2015 the complainant was proceeding on a motorcycle and he was intercepted by a white coloured i20 car driven by Gurdeep Singh, co-accused. Firing of a shot by a 12 bore gun has been attributed to Gurdeep Singh and which had hit the

complainant/injured. As per complainant's version the present petitioner was also stated to be along with the main accused Gurdeep Singh.

Petitioner was arrested on 8.10.2015.

Learned State counsel upon instructions H.C Sukhwinder Singh would submit that the occurrence has been captured in a C.C.T.V camera that was installed and which would show that the firing was resorted to by the main accused Gurdeep Singh. In so far as the present petitioner is concerned, he was seen to be present in the car that was driven by Gurdeep Singh. As per C.C.T.V coverage no direct role/act is on the part of the present petitioner.

Investigation in the present case is complete and the challan already stands presented. Charges are yet to be framed. Trial, as such, would take time to conclude.

Without making any observations on merits, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of C.J.M./Duty Magistrate, Sangrur.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

25.01.2016

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