

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No. 12493 of 2018
Date of Decision: 02.04.2018

Dalbir Singh

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. S.S. Antal , Advocate
for the petitioner.

Mr. Satish Saini, DAG, Haryana.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C. in case bearing FIR No.41 dated 08.05.2017 registered under Sections 120-B, 302, 216 IPC, 25/54/59 Arms Act at Police Station Mansa Devi Complex, Panchkula.

As per allegations in the FIR complainant Rupa Rani along with her son Amit Sharma went to temple for worship on 08.05.2017 at around 11:30 A.M. After paying obeisance, both were coming out of temple. When they were at some distance from their car, two boys with muffled faces came there and opened fire on her son Amit Sharma. Thereafter, the boys fled away in a car having yellow number

plate. The complainant could not note down the number of the car. The then injured was removed to the PGI, Chandigarh, where he died due to injuries. The complainant raised suspicion regarding involvement of Sonu Shah, Gagan and Surjit Bouncer on the basis of earlier incident of firing at Ram Leela Ground, Phase-8, Mohali, which had occurred few days prior to the incident in question.

Learned counsel for the petitioner by referring to disclosure statements of co-accused Amandeep Singh @ Mani and Gagandeep Singh submitted that role of the petitioner cannot be extended beyond the complicity of co-accused Satnam Singh who has already been granted regular bail by this Court in CrI. Misc. M-40645 of 2017. According to disclosure statement of co-accused Amandeep Singh @ Mani, he had purchased country made pistol from Satnam for a consideration of Rs.10,000/-. He further disclosed that Gagandeep Singh had told him that vehicle and weapon could be arranged by the present petitioner. Having purchased the pistol from Dalbir Singh (petitioner) and Satnam Singh the offence was committed by the main accused. The petitioner was not involved in doing any *reki* of the deceased except to facilitate accused Amandeep Singh and Gagandeep Singh who have purchased weapon from him and co-accused Stanam Singh besides giving them the car belonging to his Foofa (uncle). The disclosure statement of Harjinder Singh, Manish, Deepu and Satnam Singh could not be read beyond the involvement of the petitioner

except to sell weapon and to provide car for the accused Amandeep Singh and Gagandeep Singh.

Learned State Counsel on instructions from ASI Krishan Kumar submitted that the petitioner is involved in selling the weapon of offence to the main accused besides providing car to the accused to run away from the spot after commission of offence.

At this stage, since the co-accused Satnam Singh has already been granted regular bail by this Court. The case of the petitioner appears to be at par with that of Satnam Singh.

In view of the above, without meaning anything on the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

April 02, 2018.

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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No