

**IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH**

**CRM-M-44495-2018 (O&M)**

**Date of Decision: 12.10.2018**

Komaljit Singh @ Bugna

... Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. Amit Kumar Walia, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

Mr. J.S. Moudgill, Advocate for the complainant.

...

**TEJINDER SINGH DHINDSA, J. (ORAL)**

This is the second petition filed under Section 439 Cr.P.C. seeking benefit of regular bail to the petitioner pending trial in case FIR No.190 dated 04.12.2017, under Sections 307, 336, 323, 34 IPC and Sections 25, 27 of Arms Act (Sections 201/120-B IPC and Section 30 of the Arms Act added subsequently), registered at Police Station Lehra, District Sangrur.

Briefly, it may be noticed that FIR came to be registered on the statement of Gurdeep Singh @ Tinku in relation to an occurrence dated 04.12.2017.

As per complainant's version while he was proceeding along with his mother Charanjit Kaur during the morning hours, they were intercepted by a Bolero vehicle. Apart from the present petitioner, it has been alleged that the other occupants of the car were co-accused Manmohan Singh @ Mohna, Gurpreet Singh @ Bugri and Yadwinder Singh.

Prosecution version is that co-accused Manmohan Singh @

Mohna fired from a 12 bore pistol which hit the complainant on his right thigh. Gurpreet Singh @ Bugri is alleged to have delivered iron rod blows also on the right leg of the complainant.

Present petitioner was arrested on 12.12.2017.

Investigation in the case having been completed, challan was presented and charges have been framed.

Learned State counsel would vehemently oppose the prayer made in the petition by submitting that on account of the injuries suffered in the occurrence, right leg of the complainant had to be amputated. Further argued that the offence is stated to have been committed in furtherance of a common intention.

Having heard counsel for the parties, this Court is inclined to accept the prayer for grant of regular bail.

Insofar as the present petitioner is concerned, the role attributed is that of exhortation/Lalkara.

Recovery of firearm is stated to have been effected from co-accused Manmohan Singh @ Mohna. Iron rods are stated to have been recovered from Gurpreet Singh @ Bugri/non-applicant.

Petitioner had earlier filed CRM No.M-12047 of 2018 seeking regular bail but such petition had been dismissed as withdrawn on 30.04.2018.

During the course of hearing today, counsel has adverted to the proceedings before the trial Court and which would reflect that in spite of Charanjit Kaur (mother of the complainant) having been summoned through bailable as also non-bailable warrants, she has chosen not to appear before

the trial Court.

It may also be taken note of that learned State counsel upon instructions from SI Dharamvir Singh has apprised the Court that the petitioner is involved in a number of other criminal proceedings. However, in the same breath, it stands conceded that petitioner has already earned acquittal in one matter and in the other cases, he has been granted bail by the competent Court.

Petitioner has already faced incarceration for a period of 11 months approximately.

In view of the above and without making any observations on merits, prayer is allowed.

Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate concerned.

Disposed of.

**12.10.2018**

*harjeet*

**(TEJINDER SINGH DHINDSA)  
JUDGE**

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