

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-48517-2017

Date of decision: 13.03.2018

Gurpreet Singh @ Sonu @ Soni

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Vijay Lath, Advocate and
Mr. Vishal Sharma, Advocate
for the petitioner.

Mr. Abhay Pal Singh Gill, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.68 dated 29.05.2017 under Sections 307, 34 IPC and Section 25 of Arms Act, registered at Police Station City Nawanshahar, District Saheed Bhagat Singh Nagar.

Learned counsel for the petitioner submits that as per the allegations in the FIR, three persons, who were riding triply on a motorcycle, out of which, injured-complainant was sitting in the middle seat. They were followed by two motorcycles, one driven by petitioner Gurpreet Singh @ Sonu @ Soni, on which Raja Bhatti was pillion rider and second motorcycle was driven by one Kaka @ Rohit, on which one Sunny @ Tota @ Satwinder Singh was the pillion rider. It is further stated in the FIR that Raja Bhatti, the pillion rider on the motorcycle driven by the petitioner, fired a shot, which hit on the

right shoulder of the complainant Lovepreet Singh and similarly, pillion rider on the motorcycle driven by Kaka @ Rohit namely Sunny @ Tota @ Satwinder Singh, also fired a gun shot, which hit on the right cheek of the complainant and no injury is attributed to the petitioner.

Learned counsel for the petitioner further submits that as per the MLR, there are two injuries on the injured person Lovepreet Singh and as per X-ray report regarding both the injuries, the doctor has opined that injury No.1, which is on the neck of the complainant Lovepreet Singh, shows a radio-opaque shadow in the right side of the neck and for this injury, he was referred to PGIMS, Chandigarh and in the medico-legal summary also, the injury sustained by Lovepreet Singh, is reported as injury on his neck from gun shot and is reported dangerous to life. It is further submitted that investigation is complete and prosecution evidence is yet to start. Counsel for the petitioner has further submitted that the petitioner is in judicial lockup since 22.06.2017 and is not involved in any other case.

Learned State counsel, on instructions from ASI Shamsheer Bahadur, has however opposed the prayer for bail on the ground that one co-accused namely Kaka @ Rohit, who was driving the motorcycle, on which co-accused Sunny @ Tota @ Satwinder Singh was the pillion rider, has died and co-accused Raja Bhatti is yet to be arrested.

Without commenting on merits of the case, considering the fact that the petitioner is not attributed any injury and the gun shot injury, which is dangerous to life, is attributed to co-accused Sunny @ Tota @ Satwinder Singh and also in view of the fact that the petitioner is in judicial lockup for the last more than 08 months; investigation is complete, charges have been framed and

prosecution evidence is yet to start, it will take some time in conclusion of the trial, this petition is allowed and the petitioner is directed to be released on bail subject to furnishing his bail/surety bond to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

13.03.2018
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No