

CRM-M No.6019 of 2018
CRM-M No.5751 of 2018

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207 (2 Cases)

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No.6019 of 2018
Date of Decision: 26.04.2018

Sukhjit Singh @ Kaka

..... Petitioner

Versus

State of Punjab

..... Respondent

CRM-M No.5751 of 2018

Sandeep Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Mandeep Kumar Dhot, Advocate,
for the petitioner(s).

Mr. Luvinder Sofat, A.A.G., Punjab.

SUDIP AHLUWALIA, J. (ORAL)

These are the two petitions, being CRM-M No.6019 of 2018
and CRM-M No.5751 of 2018, seeking release of two different petitioners
on anticipatory bail who are accused in the same F.I.R. bearing No.45,
dated 06.06.2017, under Sections 323, 341, 325, 506, 148 and 149 of the
Indian Penal Code (Section 326 of the Indian Penal Code added later on)

and Sections 27/54/59 of the Arms Act, registered at Police Station Singh Bhagwantpura, District Rupnagar.

2. Perused Case Diary, including Medico Legal Report of the victim/complainant.

3. In view of the respective roles attributed to the petitioners in the original F.I.R., bail prayer of petitioner, namely Sandeep Singh son of Harnek Singh, (in CRM-M No.5751 of 2018) who allegedly caused a grievous injury on the victim with a *Gandasa* is rejected.

4. However, the offence imputed to petitioner, namely Sukhjit Singh @ Kaka son of Pal Singh, (in CRM-M No.6019 of 2018) of having fired in the air to scare the people around would not appear to fulfill the ingredients of the offence under Section 307 of the Indian Penal Code. Furthermore, no pellets or other material to even indicate the use of a firearm at the spot at the relevant time, has been recovered, although the occurrence took place almost a year back.

5. For these reasons, CRM-M No.6019 of 2018 is allowed and the petitioner, namely Sukhjit Singh @ Kaka son of Pal Singh, is ordered to be released on anticipatory bail to the satisfaction of the Investigating Officer subject to compliance of the statutory conditions envisaged under Section 438(2) of the Code of Criminal Procedure, while CRM-M No.5751 of 2018 is dismissed.

26.04.2018

Apurva

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/ reasoned : Yes/ No
2. Whether reportable : Yes/ No