

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-4569-2019

Date of decision: 05.03.2019

Sandeep Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. A.P.S Deol, Sr. Advocate with
Mr. H.S. Deol, Advocate for the petitioner.

Mr. Sidakmeet S. Sandhu, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.288 dated 15.11.2018 under Sections 307, 323, 34 IPC and Section 25 of Arms Act, registered at Police Station City Sangrur, District Sangrur.

Learned senior counsel for the petitioner submits that as per allegations in the FIR, got registered by Gursimple Singh, it is stated that on 14.11.2018, his relative Ranjit Singh had come to meet him at Sangrur and they had gone to the market when Karam Sukhvir Singh Lehal and Sandeep Singh @ Mental and two other unidentified persons came in front of their vehicle and then, Sandeep Singh @ Mental gave him a slap and Karam Sukhvir Singh Lehal fired a shot from his pistol, which hit on his left arm. It is further submitted that after completion of the investigation, the matter was compromised between the parties and has relied upon the compromise (Annexure P-11). It is also submitted that now the injured-victim Gursimple Singh has appeared as PW1

before the trial Court and has not supported the prosecution version, as he has stated that some unknown persons fired shot on him. Learned senior counsel further submits that this witness was declared hostile and during his cross-examination by the Public Prosecutor, though he was put with all the version and statements given before the police, however, he has resiled from that also.

Learned senior counsel for the petitioner has further submitted that in the aforesaid scenario, possibility of conviction of the petitioner is not feasible. It is further submitted that co-accused of the petitioner was found innocent and he was not even challaned.

Learned State counsel, on instructions from SI Ranjit Singh, has submitted that as per the medico-legal report of the complainant-injured, 05 injuries were found, however, it is not disputed that the complainant has not supported the prosecution version, as per the certified copies of the statements placed on record.

Without commenting anything further on merits of the case, considering the fact that the petitioner is in custody for the last three months; he is not involved in any other case and the complainant/victim has not supported the prosecution version, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bond to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

05.03.2019
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No