

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-48607-2018 (O&M)

Date of Decision:- 18.1.2019

Manjit Singh @ Meeta

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Karan Garg, Advocate, for the petitioner.

Ms. Simranjeet Kaur, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of FIR No.143, dated 29.06.2018, registered at Police Station Maur, District Bathinda, under Sections 307, 336, 325, 323, 120-B of Indian Penal Code, 1860 and Section 25 of Arms Act.
- 2 The FIR was lodged at the instance of complainant-Jagsir Singh wherein it has been alleged that on the day of occurrence when he along with Bhola Singh were on their way to Mansa in a car, then one Esteem car stopped in front of their car and Manjeet Singh alighted from the said car and fired two shots from a country made pistol in order to kill him but he lay on the ground in order to save himself. It

is further alleged that Gurwinder Singh @ Bogha who was also sitting in the car came out and gave a blow with 'Gandas' on the right leg of the complainant. It is alleged that Ranjit Singh and Kulwinder Singh also came there, in the meantime on a motorcycle and Ranjit Singh raised a 'Lalkara' to teach the complainant a lesson and upon which Kulwinder Singh pillion rider (petitioner) gave a blow with 'Kulhari' on the right leg of the complainant.

3. Learned counsel for the petitioner has submitted that petitioner is alleged to be armed with pistol and is stated to have fired 2 shots but none of the said shots is stated to have hit anybody from the complainant side and which evidently shows that the petitioner has been falsely implicated. It has further been submitted that in any case it is a case where the complainant, as per MLR has received one injury only that too on his right leg and in these circumstances it would certainly be debatable as to whether it is a case falling within the ambit of Section 307 IPC or not.
4. Opposing the petition, the learned State counsel has submitted that in view of the fact that the petitioner is specifically named in the FIR and that the medical evidence also substantiates the oral testimony, no case for grant of regular bail is made out. It has however been informed that challan has already been presented and charges have also been framed.
5. Having considered rival submissions addressed before this Court and bearing in mind the fact that neither any person from the complainant side is stated to have been injured with pistol nor any pistol has been

recovered during the course of investigation, although, as per FIR the petitioner is stated to be armed with pistol and also the fact that petitioner has been behind bars since the last more than 5 months and charges have already been framed, although no PW has been examined so far, in my opinion, no fruitful purpose would be served by further detaining the petitioner behind bars especially since the trial is not likely to be concluded in immediate future. The petition, as such, is accepted and petitioner-Manjit Singh @ Meeta is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

6. This petition stands accepted accordingly.

January 18, 2019
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No