

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

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CRM-M- 50669-2018 O & M)
Date of Decision:01.10.2019

Ravneet Singh @ Sonu Mota

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Dr. Anmol Rattan Sidhu, Senior Advocate with
Mr. Pratham Sethi, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.264 dated 03.06.2018, under Sections 302, 201, 473, 120-B, 148, 149 IPC, 1860 and Sections 25, 27, 54 of the Arms Act, 1959, registered at Police Station Civil Lines, Amritsar, District Amritsar. The petitioner is in custody since his arrest on 21.06.2018

The FIR was registered on the statement of Sukhbir Singh @ Sonu wherein it was alleged that he was engaged in transport business and has two brothers and two sisters. The elder brother Gurdip Singh Pehalwan was Councillor of Ward No.50 and resided at House No.302/6, Haveli Roor Singh, near Telephone Exchange, Katra Sher Singh, Amritsar. About 6-7

years, Gurdip Singh had a quarrel with Sukhbir Singh @ Sonu Mota and for

this reason, enmity existed between them and Sonu Mota extended threats to Gurdip Singh. The other associates of Sonu Mota namely Bobby Malhotra, Rajat Malhotra @ Karan Masti, Amanpreet Singh @ Rinka, Angrej Singh and Arun Churrimar also carried the same animosity with Gurdip Singh. On 02.06.2018, when complainant along with his brother Gurdip Singh and his brother's friend namely Gulshan Kumar went to wrestling ring and after finishing the exercise when they were preparing to return home, 6-7 persons quickly came inside wrestling ring, who were carrying pistols. The complainant identified Rajat Malhotra @ Karan, Angrej Singh, Amanpreet Singh @ Rinka and Arun Churrimaar and all of them started firing straight shots on his brother Gurdip Singh, who fell down. According to the complainant, all the assailants while leaving said that today they have finished the enemy of their friends namely Raveen Singh @ Sonu Mota, Jaggu Bhagwan Puria, Sonu Kangla and Bobby Malhotra. On these broad allegations, the FIR was registered.

Learned Senior counsel appearing on behalf of the petitioner contends that the petitioner was not present at the place of occurrence and only 4 persons were named, who had fired at the victim. He submits that all the assailants were arrested and are in custody except Arun Chhurimaar, who stands declared as Proclaimed Offender. Learned counsel further contends that till date only two witnesses have been examined out of total 39 witnesses and the trial is likely to consume considerable time. It is further pointed out that one of the co-accused namely Bhupender Singh @ Sonu Kangla has already been released on bail by this Court and the case of the petitioner is at par with him as they both were indicted on the basis of criminal conspiracy.

On the other hand, learned State counsel assisted by SI Jaspal Singh has opposed the bail application on the ground that the petitioner is involved in other cases also. However, it is not disputed that the petitioner was not one of the assailants, who had entered into the wrestling ring and fired at the victim. He also submits that one of the accused namely Angrej Singh was a proclaimed offender, who has been arrested and supplementary challan is yet to be filed against him.

At this stage, learned Senior counsel for the petitioner has produced the order dated 24.09.2019 to contend that with this development, the trial is likely to take more time. Dr. Sidhu, learned Senior Counsel, further contends that the petitioner has been acquitted in all those cases wherein he was allegedly involved previously. Learned State counsel does not dispute this fact that his case is at par with co-accused.

Considering the above background and the fact that the trial is likely to take some time, further detention of the petitioner may not be justified. Therefore, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

01.10.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No