

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

**CRM-M No. 23473 of 2019
Date of Decision:-28.05.2019**

Kulbir Singh alias Sonu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Sunil Chadha, Sr. Advocate with
Mr. Saurav Kanojia, Advocate
for the petitioner.

Mr. Harsimar Singh Sitta, AAG, Punjab.

MANOJ BAJAJ J.(Oral)

Petitioner Kulbir singh alias Sonu has filed the present petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.27 dated 06.2.2019, under Sections 307, 148, 149 and 506 IPC and Section 25/27 of Arms Act, 1959 (Sections 323 and 324 IPC added subsequently), registered at Police Station Chheharta, District Amritsar City.

Learned senior counsel for the petitioner contends that though there are allegations of firing a gun shot in the FIR, which was aimed at Baljit Singh and the said gun shot was attributed to Amritpal Singh, however, no injury was suffered by the victim as the shot struck at the

buckle of the belt. It is contended that the petitioner Kulbir Singh @ Sonu is attributed only fist and kick blows. According to him the investigation of the case is complete and final report stands filed, therefore, further custody of the petitioner may not be justified.

On the other hand, the prayer is opposed by learned State counsel, who is assisted by ASI Jaspal Singh. This factual aspect is not disputed by him. However, it is contended by him that firing of gun shot itself is sufficient to attract the offence punishable under Section 307 IPC. It is not disputed that the investigation of the case is complete and the challan qua petitioner stands filed.

Considering the background that other accused are yet to be arrested and the trial will take considerable time in conclusion, 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, Amritsar.

The petition is allowed.

May 28, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No