

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

CRM-M-27194-2019 (O&M)

Date of decision : 03.07.2019

Arvinder Singh @ Ninda and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ravi Malhotra, Advocate for the petitioners.

Mr. Surinder Pal Singh Tinna, Additional A.G. Punjab.

ANIL KSHETARPAL, J. (ORAL)

Petitioners in this petition pray for grant of regular bail in FIR No.225 dated 27.11.2018 registered under Sections 307, 324, 323, 427, 341, 148, 149, 506 of the Indian Penal Code and Sections 25, 27 of Arms Act at Police Station Islamabad, District Amritsar.

Learned counsel for the petitioners contends that alleged firearm injury is not attributed to the petitioners and the petitioners have already joined investigation pursuant to the police remand and now they are in judicial custody since 16.05.2019. He further submits that as per the opinion of the Board of Doctors, the firearm injury although not attributed to the petitioners is also doubtful.

On the other hand, learned counsel for the State submits that the petitioners are attributed injuries with baseball bat and *datar* with

common intention, although, the injuries caused by the petitioners had not been declared dangerous to life. He further submitted that remaining accused have not been arrested.

Keeping in view the arguments of the learned counsel for the parties and without commenting on the merits of the case, it is debatable that whether offence under Section 307 is made out or not. Accordingly, the petitioners are directed to be released on bail on their furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

In view of the above, the present petition is allowed.

03.07.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No