

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

CRM-M-32439-2019 (O&M)

Date of decision : 05.08.2019

Shamsher Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: None for the petitioner.

ASI Ravinder Singh, Investigating Officer.

ANIL KSHETARPAL, J. (ORAL)

Prayer in the petition is to grant regular bail to the petitioner in FIR No.74 dated 25.06.2019 registered under Sections 307 and 506 of the Indian Penal Code and Section 27 of the Arms Act (Sections 323 and 511 of IPC added subsequently during the course of investigation) at Police Station Mukerian, District Hoshiarpur.

As per the allegations, there is a dispute between the brothers and the petitioner had fired from his licensed double barrel gun with the intention to kill first informant-Sudesh Kumar.

ASI Ravinder Singh, Investigating Officer, who is present in the Court, has admitted that double barrel gun has been recovered and there is no firearm injury caused to the first informant. The bullet is stated to have passed through the roof of tractor being driven by the first informant.

Petitioner is in judicial custody since 25.06.2019. The foldable material from which the bullet had pierced through, has been sent for chemical examination.

Keeping in view the facts of the case and in the considered view of this Court, it would not be appropriate to further keep the petitioner in custody particularly when the petitioner is not involved in any other case and, therefore, the petitioner is directed to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

Accordingly, the present petition is allowed.

05.08.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No