

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

216

CRM-M-52005-2019(O&M)

Date of decision :16.12.2019

NARINDER SINGH @ NANDU

.....Petitioner

versus

STATE OF PUNJAB

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Vinod K. Kaushal, Advocate
for the petitioner.

Mr. Hittan Nehra, Addl. A.G., Punjab

ANIL KSHETARPAL, J. (ORAL)

Petitioner prays for grant of regular bail in a criminal case arising out from FIR No.167, dated 02.09.2019, registered under Section 307 IPC and Sections 25/27 of the Arms Act, 1959 (Sections 54/59 of the Arms Act, 1959 added later on), at Police Station B-Division, District Police Commissionerate Amritsar, Amritsar.

As per the case of the prosecution, petitioner had fired thrice from his licenced revolver. One gun shot hit on the left ankle of the first informant-Amritpal Singh alias Jimmi, whereas two fire gun shots hit on the stomach of Rakesh Kumar alias Raghu.

Learned counsel for the petitioner contends that the petitioner had used his licenced revolver in self defence as the first informant along with his co-accused had attacked the petitioner while entering into his house. Learned counsel for the petitioner further submits that the petitioner has also suffered injury in the scuffle.

Learned State counsel, on instructions from ASI Manjinder Singh, has admitted that the place of occurrence is immediately outside the

house of the petitioner, whereas the first informant Amritpal singh alias Jimmi and Rakesh Kumar alias Raghu are residing in a different street. Learned State counsel has further admitted that the petitioner does not have any criminal antecedents.

The injured Amritpal Singh alias Jimmi was discharged from the hospital after 16 days of hospitalization, whereas Rakesh alias Raghu was discharged next day of the admission.

Investigations have been concluded. Police report as required under Section 173 Cr.P.C. has been filed. Petitioner is now in judicial custody since 02.09.2019. Further incarceration of the petitioner, at this stage, shall not be appropriate.

Without commenting on the merits of the case and keeping in view the fact that the petitioner is in judicial custody since 02.09.2019 and the trial of the case is likely to take long time, the petitioner is directed to be released on regular bail subject to furnishing of adequate surety to the satisfaction of the trial Court/Duty Magistrate.

Accordingly the petition is allowed with the aforesaid directions.

December 16, 2019
nt

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No