

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

214

**CRM-M No. 1038 of 2020
Date of decision:07.02.2020**

GURJEET SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr.A.K.Sama, Advocate
for the petitioner.

Mr.J.S.Ghumman, DAG, Punjab

RAJ MOHAN SINGH, J.

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case bearing FIR No. 190 dated 3.8.2019 registered under Sections 307, 382, 506, 34 IPC and Sections 25 and 27 of the Arms Act at Police Station Sadar Fazilka District Fazilka.

The alleged occurrence took place on 25.11.2019 at about 2:00 pm at the house of the accused, when the complainant party came to weigh the paddy crop, which was agreed to be sold to the complainant party. As per the allegations, the accused party was armed with deadly weapons. One person was armed with pistol, another was armed with

datar and two other persons were armed with *kirpan*. It has been alleged that one person fired a shot from his .12 bore rifle upon Gurpreet Singh and others have snatched an amount of Rs.6,31,000/- on the gun point. They unloaded the paddy from the vehicle. The aforesaid occurrence took place in the area of Fazilka, which is about 200 kms from Amritsar i.e. the place of hospitalization of the injured.

Learned counsel for the petitioner submits that the petitioner is in custody since 30.10.2019 and nothing has been recovered from him. Petitioner and his family members are not having any arms licence. Learned counsel further submits that even no recovery has been effected from any of the accused person.

Learned State counsel, on instructions from ASI Gurbax Singh, states that the challan has been presented and charges have not been framed so far.

In view of aforesaid situation, the case appears to be debatable. At this stage, without meaning anything on the merits of the case, it would be just and appropriate to grant regular bail to the petitioner.

Accordingly, this petition is allowed. Petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial

Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

February 07, 2020

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Whether reasoned/speaking

Whether reportable

**(RAJ MOHAN SINGH)
JUDGE**

Yes/No

Yes/No