

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

CRM-M-6636-2020 (O&M)

Date of Decision:- 24.2.2020

Charanjit Singh @ Sahil

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Navjot Singh, Advocate for the petitioner.

Ms. Rashmi Attri, AAG, Punjab
assisted by ASI Nirmal Singh.

GURVINDER SINGH GILL, J.

1. The petitioner seeks grant of regular bail in a case registered against him vide FIR No.104 dated 4.8.2019 under Sections 302/120-B IPC and Sections 25/27 of Arms Act at Police Station Phase-11, District Mohali.
2. The FIR in question was lodged at the instance of Constable Sukhjinder Singh wherein it has been alleged that on the night between 3.8.2019 and 4.8.2019, when he along with Constable Gurpreet Singh was patrolling in the area of Mohali, then at about 3:45 A.M. they received information that there has been firing in Phase-11, Mohali. Upon reaching at the spot, they came to know that Charanjit Singh @ Sahil and his companion had a quarrel with Sukhwinder Kumar and when all the said persons came out of the club while quarreling, Charanjit Singh @ Sahil fired from his pistol killing Sukhwinder Kumar.

3. The learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that although several shots are stated to have been fired but the postmortem report would show only one firearm injury on the dead body. The learned counsel has further submitted that even if the allegations, as levelled, are taken to be correct, still it would be debatable as to whether any offence under Section 302 IPC is made out or as to whether it is only a case of culpable homicide.
4. Opposing the petition, the learned State counsel has submitted that since there are specific allegations against the petitioner of having fired from a pistol, no case for grant of bail is made out.
5. I have considered the rival submissions addressed before this Court.
6. The allegations of firing from a pistol, as levelled in the FIR, are duly substantiated from the postmortem report, a perusal of which would show that the deceased had sustained firearm injury on his chest. In these circumstances, this Court does not find any ground for release of the petitioner on bail.
7. The petition is sans any merits and is hereby dismissed.

24.2.2020

kamal

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No