

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

CRM-M-13945-2020 (O&M)
Date of Decision:-17.6.2020

Bikram Singh @ Tejinder Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Mohit Sadana, Advocate for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

*(the aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in Virtual Court)*

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner seeks grant of regular bail in a case registered against him vide FIR No.53 dated 13.3.2020 under Sections 307/354/506 IPC and Section 25/27 of Arms Act at Police Station Zirakpur, District SAS Nagar, Mohali.
2. The FIR was registered at the instance of Baljit Singh wherein it has been alleged that he is serving as '*Granthi*' at Gurudwara Sahib but is not regularly employed in the Gurudwara. It is stated therein that near to house of the complainant, there is one house No. 37 owned by Urmila Devi who has rented out the same and that the tenant is running some factory in the said premises wherein about 50-60 people are working in every shift and that during power cut, the factory runs on a electricity generated through electricity generator which creates a lot of nuisance which disturbs the

residents and also the students. The residents met the factory owner but to no avail. It is alleged that on 12.3.2020 when they met the factory owner, he threatened them. On the day of occurrence, when the complainant was proceeding towards his home then Bikram Singh arrived in a car alongwith 8-10 other persons, and also Depanshu Sharma and Rahul who were armed with wooden '*sticks*' and '*rods*' and who all gave beatings to him and stated that the complainant be taught a lesson and the said persons also abused Mandeep Kaur, Veena Sharma and Sunita Sharma, all residents of the locality. It is further stated therein that thereafter Bikram Singh took out his pistol and aimed at him to kill him but the complainant while taking cover of darkness managed to escape, although Bikram Singh fired shots towards him.

3. The learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that the falsity of the case would be evident from the fact that no injury has been found on the person of the complainant either with firearm or with the '*sticks*' and '*rods*', although the same are alleged to have been caused. It has further been submitted that it is a case where genesis of occurrence has been suppressed and that infact the petitioner's worker namely Rakesh Kumar had been caused injuries by the complainant, as would be evident from the MLR of said Rakesh Kumar, annexed as Annexure P-5, which indicates that said Rakesh Kumar had sustained as many as 8 injuries and was examined in Government Hospital on 13.3.2020 itself i.e. on the day of occurrence.
4. Opposing the petition, the learned State counsel has submitted that since the petitioner is specifically named in the FIR, no case for grant of bail is made

out. The learned State counsel, upon instructions from ASI Ramesh Lal has however, informed that there is no MLR on record in respect of the complainant. It has also been informed that the petitioner has been behind bars since the last more than 3 months and that challan already stands presented.

5. I have considered the rival submissions addressed before this Court.
6. In view of the aforestated position wherein this Court finds that there is no evidence to show that the complainant has sustained any injury and that the petitioner has been behind bars since the last more than 3 months and challan already stands presented, further detention of the petitioner will not serve any useful purpose.
7. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

17.6.2020

kamal

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No