

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

CRM-M-16267-2020

Date of decision:10.7.2020

SONU

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Tarun Sharma, Advocate
for the petitioner.

Mr. Harbir Sandhu, AAG, 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 has filed this petition seeking grant of regular bail in a case registered against him vide FIR No.45 dated 16.8.2018 under Sections 307/34 IPC & Sections 25/27 of Arms Act at Police Station Talwara, District Hoshiarpur.
2. The FIR was registered at the instance of Jasvir wife of Jaswinderpal wherein it has been alleged that her marriage stands dissolved. It is alleged that on 15.8.2018 at about 8:30 p.m. when she and her father were at home, then her brother-in-law Gaurav along with one unknown person entered into their house who were both carrying pistols. It is alleged that Gaurav fired from his pistol hitting on her left thigh and also gave another shot at her right thigh. The second person is alleged to have fired from

his pistol hitting on the back side of her head. It is further stated therein that two other companions of the said assailants were standing outside the house.

3. Learned counsel for the petitioner has submitted that it is Gaurav and one Sunil who had entered into the house of the complainant and had fired from their pistols as had been found out during investigation and that admittedly the petitioner is not neither alleged to be carrying any weapon nor alleged to have fired any shot. It has further been submitted that an identically situated co-accused namely Vikram @ Vicky had already been granted bail by this Court vide order dated 27.5.2019 passed in CRM-M-23382-2019 and in these circumstances, the petitioner in any case deserves concession of bail on the ground of parity.
4. Opposing the petition, learned State counsel has submitted that the petitioner went along with other assailants, his complicity in the entire incident is very much evident. It is further submitted that since the petitioner is involved in 4 other cases, no case for grant of bail is made out. It has however been informed that the petitioner as on date has been behind bars since last more than 1 year and 9 months.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the fact that the petitioner is not amongst the two assailants who had entered into the house of complainant and had fired at her and at best is amongst those were waiting outside the house and also that the petitioner has been behind bars since more than 1 year and 9 months, further detention of the petitioner will not serve any useful

purpose as conclusion of trial is likely to take some time.

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.

10.7.2020
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**