

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

(215)

CRM-M-28692-2020 (O&M)

Date of Decision: 23.09.2020

Abhiraj Singh @ Abhi

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Vishwajit Bedi, Advocate,
for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab.

SUDIP AHLUWALIA, J. (ORAL)

CRM-23476-2020

Allowed as prayed for.

CRM-M-28692-2020

This is a petition for regular bail filed under Section 439 Cr.P.C. on behalf of the petitioner, in case FIR No.83 dated 27.05.2019 under Sections 307, 148 and 149 IPC and 25 of Arms Act, registered at Police Station Kamboj, Amritsar (Rural).

2. Ld. Counsel for the petitioner submits that the petitioner has remained in detention for more than six months following his arrest and that his custody is no longer required as challan against him has already been submitted after the completion of investigation.

3. It has further been contended that in the meantime, the complainant as well as the victims of the gun shot injuries attributed to the

this contention, Affidavits of the complainant – Dalbir Singh, as also of the victims Chhote Lal and Sitar Singh, have been placed on record as Annexures P-2, P-3 and P-4 respectively.

4. In the opinion of this Court, any compromise entered into by the petitioner with the alleged victims is not, in itself, a sufficient ground to hold that the material collected against the petitioner is unfounded. From the affidavit of the complainant – Dalbir Singh, it is seen that he has virtually tried to exonerate the petitioner by stating that he mentioned the petitioner's name in his complaint at the instance of “other persons”. Such an attitude does not cut much ice with the Court, and would appear to be reason enough to have the complainant brought to book for either illegally retracting from his allegations, if the same were genuine, or otherwise of having made a false complaint if the contents of his present Affidavit are taken to be true.

5. Further more, it transpires from the available material on record that another person namely Inderjit Sharma had also sustained the gun shot injuries as a consequence of the gun-fire meted to the petitioner. But there is nothing on record to indicate whether he has also been taken on board by the petitioner for seeking the bail.

6. For the aforesaid reasons, this Court finds no sufficient grounds to enlarge the petitioner on bail at this stage.

7. Dismissed.

(SUDIP AHLUWALIA)
JUDGE

23.09.2020
Pardeep

Whether speaking/reasoned Yes/No

Whether reportable Yes/No