

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

CRM-M-29991-2020

Date of decision:01.10.2020

Akash Arora @ Bhanu

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present:- Mr. Sandeep S. Majithia, Advocate
for the petitioner.

Mr. H. S. Multani, AAG, Punjab.

SANT PARKASH, J. (ORAL)

The aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual court.

The present petition has been filed under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 122 dated 06.05.2020 registered under Sections 379-B (2) of IPC and 25 Arms Act, 1959 registered at Police Station Division-B, District Police Commissionerate, Amritsar.

The present FIR has been registered on the statement of complainant-Ajit Singh to the effect that they are three brothers. Gurdeep Singh and Pardeep Singh are his two elder brothers. He is running a business of gold smith. On 05.05.2020 at about 10.40 PM, the complainant received an information that someone has shot his brother

Pardeep Singh in market. On reaching the spot the complainant found that his brother-Pardeep Singh was lying on the floor and he had been shot in the calf muscle of his right leg and apprised him that three unknown men came on splendor motorcycle near ICICI bank Kot Karnail Singh. One of them was carrying a pistol and asked him to handover everything while the another men snatched rupees 2000/- out of his pocket and mobile phone make Samsung C-7 Pro, containing sim No. 9988819944 and shot him. Pardeep Singh was admitted to Amandeep Hospital where he is under treatment.

Learned counsel for the petitioner states that the allegations against the petitioner are false and frivolous. He further submits that bullet injury has not been attributed to him. Even at the time of arrest, no recovery was made from him and only a currency note of Rs. 500/- was got recovered by him subsequently upon his alleged disclosure. Initially he was not named in the FIR but in the supplementary statement his name has been cropped up.

Challan has already been filed. The petitioner is in custody w.e.f. 09.05.2020.

Learned State counsel has opposed the prayer made in the petition by submitting that as per the report issued by Amandeep Hospital, Amritsar, a punctured wound over antero-medial aspect of

right leg with inverted black margins was found on the person of injured Pardeep Singh and this injury was declared grievous in nature.

I have heard learned counsel for the parties and perused the record.

Admittedly, petitioner is not attributed any pistol shot. Challan has already been filed and the conclusion of trial certainly take long time. Only currency of Rs.500/- recovered from him. Petitioner is in custody since 09.05.2020 and he is no more required for further investigation purposes as such no purpose would be served by keeping him in custody any longer.

Taking into consideration the totality of facts and circumstances of the case, the instant petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate surety/bail bonds to the satisfaction of the trial Court/ Chief Judicial Magistrate/Duty Magistrate concerned.

01.10.2020

Mehak

**(SANT PARKASH)
JUDGE**

Whether reasoned/speaking?
Whether reportable?

Yes
No