

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

221

CRM-M-43752 of 2019

Date of decision : 14.01.2020

Charna Singh @ Charan Singh

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present : Mr.Kanwaljeet Singh Advocate
for the petitioner.

Mr. Sourabh Khurana, DAG, Punjab.

Gurvinder Singh Gill, J. (Oral)

1. Petitioner has approached this Court seeking grant of regular bail in case, FIR No.68 dated 29.12.2015, under Sections 307, 382, 34 of Indian Penal Code and Section 25 of Arms Act, 1959, registered at Police Station Joga, District Mansa.
2. The FIR in question was lodged at the instance of petitioner's brother, namely, Amar Singh wherein it has been alleged that he is having a dispute with his brother Charna Singh and that on 27.12.2015 when he along with his wife Balbir Kaur were irrigating their fields and while he was carrying 12 bore rifle along with 24 cartridges, they were attacked by Charna Singh who was empty handed, Vicky Singh armed with '*Kirpan*', Yadwinder Singh armed with '*Gandasa*', Raghbir Singh armed with '*Gandasa*', Nirbhai Singh armed with '*Kirpan*' and Jasvir Singh armed with '*Soti*'.
3. It is alleged that Charan Singh forcibly took his rifle and fired at him hitting him in his abdomen and on his right eye and he also fired at his wife.
4. The Learned counsel for the petitioner has submitted that the

petitioner has falsely been implicated in the present case and that even as per the FIR, he was empty handed. It has further been submitted that the petitioner was in fact declared innocent in the inquiry but had subsequently been summoned as an additional accused vide order 18.02.2019 passed in terms of Section 319 Cr.P.C.

5. Opposing the petition, the learned State counsel has submitted that the petitioner is the main accused having fired at the complainant and his wife and as such, he does not deserve the concession of bail.
6. Having considered rival submissions addressed before this Court and bearing in mind the fact that the petitioner has been summoned with the aid of Section 319 Cr.P.C., necessarily indicating that investigation of the case is already complete and the fact that the petitioner has been behind bars for the last more than 9 months and the conclusion of trial is likely to take more time, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and it is ordered that petitioner be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

[GURVINDER SINGH GILL]
JUDGE

14.01.2020
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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No