

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

CRM-M-323-2021

Date of decision-12.01.2021

Ranjit Singh @ Bagga

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

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

Mr. Prabhjot Singh Walia, AAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail pending trial in case FIR No.219 dated 10.10.2020 registered under Sections 307 and 34 Indian Penal Code, 1860 and Sections 25 and 27 of Arms Act, 1959 at Police Station Bhogpur, District Jalandhar. The petitioner is in custody since his arrest on 14.10.2020.

The FIR was registered on the statement of Sandeep Singh son of Sh. Sukhwinder Singh and the allegations as noticed by learned Additional Sessions Judge, Jalandhar in order dated 26.11.2020 read as under:-

“He has stated that he is resident of Vishnu Garden, P.S.Tilak Nagar, New Delhi and he is working as a sales man in a private concern. Since last 6-7 days he has come to Village Bhatnura Lobana for attending Bhog Ceremony of his grand-mother-in-law. Where he came to know that Manpreet Kaur D/o his paternal Aunt Surjit Kaur wife of Narinder Pal Singh was engaged with Harpreet Singh son of Didar Singh with photo as Harpreet Singh at that time was in America. He also came to know that lateron younger brother of Harpreet

Singh namely Amandeep Singh came to India from France and performed marriage with his cousin sister Manpreet Kaur secretly. When this fact came to the knowledge of his family, an altercation took place between them. Later on the matter was compromised between the parties at P.S.Mukerian on 08.10.2020. His cousin Manpreet Kaur returned back to Village Bhatnura Lobana on 08.10.2020. On 10.10.2020 he alongwith his father, uncle Sukhdev Singh, Surjit Kaur alongwith his cousin Manpreet Kaur had came out from their house for leaving Manpreet Kaur at Village Ram Sahai in Vagonar car bearing No.DL-1-CL-4778. When they had just came on link road, one car HUV bearing No.PB-08-EE-0002, which was being driven by Amandeep Singh son of Didar Singh, resident of Tanda Ram Sahai alongwith two other persons waylaid their car. Thereafter they came out from their car and after opening the window of their car, they tried to drag Manpreet Kaur from the car. He alongwith his uncle Sukhdev Singh came out of the car and tried to restrain them from doing so. At this Amandeep Singh fired from his pistol with an intention to kill them and one fire hit his right chest and one shot narrowly crossed his uncle Sukhdev Singh. Thereafter these persons ran away from the spot after raising lalkaras.”

Learned counsel for the petitioner contends that in the alleged occurrence, Amandeep Singh had fired two gun shots and injuries were suffered by Sukhdev Singh and Sandeep Singh (complainant). He has pointed out that the sister of the complainant, namely, Manpreet Kaur was travelling with the said two persons in the car when the firing took place. He has further pointed out that co-accused Amandeep Singh had performed marriage with Manpreet Kaur and later on dispute between two had arisen, which resulted into the alleged occurrence. According to him, the petitioner

was not named in the FIR and was subsequently indicted as an accused on the basis of the supplementary statement made by witness Manpreet Kaur, who stated that petitioner was accompanying accused Amandeep Singh at the time of commission of offence. He submits that the investigation of the case is complete, therefore, the further custody of the petitioner may not be necessary. He prays that the petitioner be released on bail.

On the other hand, learned State counsel assisted by ASI Iqbal Singh has opposed the prayer on the ground that the petitioner was travelling with the main accused-Amandeep Singh. However, it is not disputed that as per the allegations, the firing is attributed to Amandeep Singh and the weapon has been recovered from his possession.

After hearing the learned counsel for the parties, this Court finds that the investigation of the case is complete, however, charges are yet to be framed. This Court is cognizant of the fact that the outbreak of pandemic COVID-19 in the region may further delay the conclusion of trial. Admittedly, the petitioner is presently confined in judicial custody since 14.10.2020 and his further detention may not be necessary for any useful purpose, therefore, this Court does not find any reason to decline the prayer.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

12.01.2021

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Whether speaking/reasoned :
Whether Reportable :

Yes
Yes

(MANOJ BAJAJ)
JUDGE

No
No