

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

**CRM-M-4432-2021
Date of Decision : 08.04.2021**

Karan Sharma @ Kalu

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Gursimaran Singh Bawa, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This is a petition filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No. 284 dated 10.09.2020 under Sections 307, 120-B and 34 of the IPC, 1860 and Sections 6, 7, 8, 25, 54, 59 of the Arms Act registered at Police Station Maqboolpura, Amritsar, District Police Commissionerate, Amritsar, Punjab.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of complainant-Sajjan Singh, it is stated that he is having a shop of goldsmith and he along with his wife Baljinder Kaur was going to Gurudwara Baba Shaheedan Sahib on his scooter, when two persons with muffled faces came from backside and the pillion rider fired two shots with an intention to kill him, which hit on his right leg and he fell down and both the persons fled away from the spot. It is further stated in the FIR that about 02 years ago, one Simranjit Singh @ Jujhar Singh has threatened him and he suspects that the attack on him was perpetuated by the aforesaid person.

Learned counsel for the petitioner further submits that during investigation, co-accused Manak Singh was arrested and on his disclosure, the petitioner was nominated as a person, who had conducted a recce about the movement of injured/victim-Sajjan Singh.

Learned counsel for the petitioner further submits that there is no direct allegation against the petitioner and in fact, he was not present at the spot where two persons attacked on the victim.

Learned counsel for the petitioner further submits that petitioner is in judicial custody for the last about 05 months; investigation is complete and conclusion of trial is likely to take a long time.

Learned State counsel has filed the custody certificate and submitted that one motorcycle and six live cartridges were recovered from the petitioner. As per the custody certificate, the petitioner is in judicial custody for the last 05 months and 19 days.

I have heard learned counsel for the parties.

Without commenting on the merits of the case and considering the submissions made by learned counsel for the parties, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate, concerned.

However, it is made clear that in case petitioner is found misusing the concession of regular bail, it will be open for the prosecution to apply for cancellation of the same.

08.04.2021

Waseem/Chetan

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No