

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-7071-2021 (O&M)
Date of Decision:-19.2.2021

Sunil Kumar @ Sunil Malhotra

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Rishu Mahajan, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Satwant Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.69 dated 21.3.2020 at Police Station Gate Hakima, Amritsar under Sections 307, 506, 148, 149 of Indian Penal Code and Section 25 of Arms Act.
2. As per the case of prosecution four persons namely Vishal, Ranju, Gautam Mattu and Sawayam were caused fire arm injuries by the accused namely Gora, Danish, Ritik Malhotra, Sachin and Kartik Ghora, who were accompanied by three other unknown persons.
3. Learned counsel for the petitioner has submitted that the petitioner is nowhere named in the FIR but came to be nominated as an accused

subsequently on the basis of a supplementary statement made by the complainant. It has further been submitted that the matter infact stands amicably resolved amongst the parties and a compromise (Annexure P-5) has been effected amongst the parties and infact the said compromise had also been noticed while granting bail to the co-accused namely Billa by this Court vide order dated 26.11.2020 (Annexure P-4). It has further been submitted that co-accused Vikas Malhotra and Sahib @ Sujal Mattu were also granted bail vide order dated 11.9.2020 (Annexure P-3).

4. On the other hand, learned State counsel has, however, opposed the petition and has submitted that since the petitioner came to be nominated in the supplementary statement, no case for grant of bail is made out. The learned State counsel has, however, informed that the petitioner has been behind bars since the last 3 ½ months and that challan stands presented.
5. Having regard to the aforestaed position, wherein this Court finds that the matter is stated to have been compromised and 3 of the co-accused have already been granted bail and the petitioner has been behind bars since the last 3 ½ months and challan already stands presented, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

19.2.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No