

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

220

**CRM-M-30152-2021
Decided on : 06.08.2021**

Amandeep Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. G.P.S. Ghuman, Advocate
for the petitioner(s).

Mr. Luvinder Sofat, AAG, Punjab
assisted by ASI Iqbal Singh.

MANJARI NEHRU KAUL, J. (Oral)

This is the second petition filed under Section 439 Cr.P.C. seeking grant of bail to the petitioner, in case FIR No. 219, dated 10.10.2020, registered under Sections 307/34 of IPC and Section 26/27/54/59/29 (added later on) of the Arms Act, 1959, lodged at Police Station Bhogpur, Jalandhar (Rural).

On a pointed query put to the learned counsel for the petitioner, as to what was the material change in circumstances, which would warrant entertaining the instant petition, subsequent to the withdrawal of the previous one as recently as on 16th June, 2021, it has been submitted that the petition was withdrawn by him without making his submissions on merits. Learned counsel has further submitted that he has a very good case even on merits and still further submits that since the petitioner has been in custody since 18th October, 2020, coupled with the fact that co-accused have already been extended the concession of bail vide orders dated 22nd December, 2020 and 12th January, 2021, of this Court, the petitioner be also extended the concession of bail.

Per contra, learned State counsel while opposing the prayer and

submissions made by learned counsel for the petitioner, on instructions from ASI Iqbal Singh, has submitted that the case of the petitioner is distinguishable from that of the co-accused, who are on bail. Learned State counsel while inviting the attention of this Court to the FIR in question, has submitted that not only was the petitioner named in the FIR in question, but was attributed two firearm shots, including one which one hit on the chest of the complainant. Learned State counsel has submitted that the firearm injury sustained by the complainant and attributed to the petitioner on the chest was declared to be dangerous to life. Learned State counsel has, thus, submitted that in the facts and circumstances of the case, the petitioner be not extended the concession of bail, as prosecution evidence is yet to commence and there is every likelihood that he may tamper with evidence.

Heard.

Prima facie, there are serious and specific allegations levelled against the petitioner of having inflicted firearm injuries including one on the chest of the complainant attracting the mischief of Section 307 of IPC. Consequently, finding no merit, the instant petition stands dismissed.

(MANJARI NEHRU KAUL)
JUDGE

August 06, 2021

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*