

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

**CRM-M-25792-2020
Date of decision: 15.01.2021**

Sahil Munga**...Petitioner**

Versus

State of Punjab**...Respondent****CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Mr. Munish Puri, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 130 dated 05.07.2020, registered under Sections 307, 148, 149, 160, 120-B, 34 of the IPC (Sections 176 and 302 IPC added later on); Section 3 of the Epidemic Disease Act, 1897 and Section 25 of the Arms Act at Police Station Bhargo Camp, District Jalandhar.

Learned counsel for the petitioner submits that as per allegations in the FIR, which was registered at the instance of ASI Vijay Kumar initially against co-accused Akashdeep, Rajat Gangotra, Nitin Arora, Gurpreet Singh, Dalbir Singh and Prince, wherein the name of the petitioner was added later on, it is stated that when he was on a patrol duty, he got an information that the aforesaid persons were indulged in committing offence with illegal arms and ammunitions and on 05.07.2020, all the said persons gathered at Lovely Timber Store, where they have a conflict with some other group. During the hot exchange of words, Rajat Gangotra provoked

Akashdeep Singh by saying that deceased Nitin Arora always leaked their plans and he should be taught a lesson. On such provocation, Akashdeep Singh fired a shot at Nitin Arora with a pistol with intention to kill him and he got seriously injured. Thereafter, ASI Vijay Kumar got an information that some unknown person has admitted Nitin Arora in the hospital and when he reached hospital, he came to know that Nitin Arora has been given injuries with a gun shot. Later on, Nitin Arora died and the accused persons were arrested.

Learned counsel further submits that one of the co-accused, Rajat Gangotra, has suffered a disclosure statement that when he, along with Akashdeep Singh and Nitin Arora, was present at Lovely Timber Store, he noticed that his friend Sahil (present petitioner), who belongs to Ferozepur and was working in a finance company, was going to get some meal as he was alone at his house and her sister had gone to her parental house. It is further stated by Rajat Gangotra that he asked Sahil to get meal for them also and they all will have the meal in the house of Sahil. It is further stated that on that place, an altercation took place and Akashdeep fired a shot at Nitin Arora.

Learned counsel for the petitioner further submits that there is no conspiracy with the petitioner as other accused as he was named in the FIR later on.

Learned counsel further submits that in the aforesaid disclosure, the only allegation against the petitioner is that he did not inform the police about the incident that Akashdeep has fired a shot at Nitin Arora, who was admitted in a hospital and later on died.

Learned counsel further submits that the primary charge against

the petitioner will be under Section 176 IPC only.

Learned counsel further submits that petitioner is not involved in any other case; he is in judicial custody since 12.07.2020; investigation qua petitioner is complete and challan stands presented.

Learned State counsel has not disputed the factual position on the basis of the affidavit of SHO, PS-Bhargo Camp, Jalandhar, wherein as per para Nos. 14 and 15, the only allegation against the petitioner is that he did not inform the police and rather, when the police visited the said house, he got recovered a blood stained bedsheet.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the aforesaid submissions of 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.

15.01.2021

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No