

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-36151 of 2020
Date of Decision: 14.01.2021

Jagdish Chand @ Jaggu

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Munish Gupta, Advocate,
for the petitioner.

Mr. Amar Ashok Pathak, Addl. AG, Punjab.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through
video conferencing.

Petitioner seeks grant of regular bail under Section
439 Cr.P.C in case bearing FIR No.15 dated 14.01.2020 under
Sections 307, 427, 506, 148, 149 of Indian Penal Code, 1860
and Section 25 of Arms Act, 1959 registered at Police Station

City Sunam, District Sangrur.

As per allegations, the complainant has alleged that when she was celebrating Lohri of her granddaughter along with her relatives in her house then at about 10.50 PM, Kapil Sharma @ Mani along with his brother Sandeep Boxer and others came in the street and started abusing the complainant party. They exhorted that the sons of the complainant be sent outside. They started throwing bricks and stones on the house of the complainant. On hearing noise, sons of the complainant, namely, Lakhwinder Singh @ Lakhi Pathar and Jatinder Singh along with nephew of the complainant Gagandeep Singh and other neighbours came out. Kapil Sharma @ Mani Pandit fired towards the house. The fire hit on the waist above the thigh of Lakhwinder Singh @ Lakhi Pathar and other fire hit on the wrist of left arm of Gagandeep Singh. The neighbour Malkeet Singh was also injured. The complainant-party locked the gate of the house and went upstairs on the roof. Kapil Sharma @ Mani also fired in air and caused damage to the window shield of the car and motorcycle. The assailants also pelted stones on the house of the complainant as well as on the houses of the neighbours. On raising alarm, they fled away from the spot.

Learned counsel for the petitioner submits that the allegations qua the petitioner are at par with Karandeep Singh @ Rammi

Boxer @ Dakku who has already been granted regular bail by this Court vide order dated 08.06.2020 passed in CRM-M-13021 of 2020. Learned counsel further submits that it is a case of version and cross-version. Gurwinder Singh alias Tibbi Boxer has also been granted regular bail vide order dated 26.06.2020 in CRM-M-14876 of 2020.

The parties have also reached at amicable settlement. The complainant Paramjit Kaur has also executed an affidavit on 05.10.2020 in the context of compromise wherein she has no objection in case, bail is granted to the petitioner.

Learned State counsel, however, opposed the bail on the ground that the petitioner is involved in serious allegations

Challan has been presented.

In view of alleged part attributed to the petitioner and in view of aforesaid facts, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of Trial Court/ Duty Magistrate concerned.

Nothing expressed hereinabove would be construed

to be an expression of any opinion on merits of the case.

14.01.2021
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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No