

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

245

CRM-M-47825-2021

Date of Decision: 18.11.2021

Abhimanyu Shoor @ Abhi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. J.S.Thakur, Advocate,
for the petitioner.

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

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.99 dated 10.08.2021 at Police Station Bhargo Camp, District Jalandhar Commissionerate, under Sections 307/34 IPC and Section 25/27 of the Arms Act (Section 59 of the Arms Act added later on).
2. As per the FIR lodged at the instant of Harish @ Karan, on 10.08.2021 when he had gone for a walk in the morning, 2 clean shaven persons, namely, Abhimanyu Shoor @ Ali and Manak Babbar, who are seen coming on an Activa scooter, encircled him and started hurling abuses. When the complainant objected to the same, Manak Babbar gave a slap to the complainant. The complainant ran being scared, but the said boys followed him upto

his house. While Abhimanyu Shoor kept the scooter on ignition mode, Manak Babbar alighted from the scooter and fired with the pistol with an intention to kill the complainant and other members of his family, but the complainant managed to save himself by lying on the ground and the shot went through the main gate of the house. Another shot was fired by Manak Babbar from the top of the main gate which went through the wooden door in the *verandah* and hit the bed box kept inside. When the complainant and other members of his family raised alarm, the said persons ran away from the spot.

3. Learned counsel for the petitioner has submitted that even if the allegations as leveled in the FIR are taken to be correct, it is a case of no injury and even the alleged shots fired from the pistol are attributed to the co-accused and not to the petitioner.
4. Opposing the petition, learned State counsel has submitted that the petitioner and his co-accused had gone together to the house of the complainant and while the complainant remained outside and kept the engine of the scooter running, the co-accused fired at the complainant and it was sheer luck that the shots did not hit the complainant. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last about 3 months and that he is not involved in any other case and that challan already stands presented.
5. I have considered rival submissions addressed before this Court.

6. Having regard to the fact that it is a case where none has been injured and the petitioner otherwise has a clean record and challan also stands presented, further detention of the petitioner will not serve any useful purpose as the conclusion of trial will take some time. 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.

18.11.2021

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**