

**CRM-M-10677-2022**

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

**CRM-M-10677-2022**

**Date of decision:19.05.2022**

Raj Kumar @ Raja @ Raja Paharia

...Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL**

Present:- Mr. Umesh Aggarwal, Advocate,  
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

**HARNARESH SINGH GILL, J. (ORAL)**

Through this petition, the petitioner seeks regular bail in case bearing FIR No.141 dated 14.09.2015, registered at Police Station Bhargo Camp, District Jalandhar, under Sections 307, 148, 149 and 201 IPC and Section 25 of the Arms Act, 1959.

Status report dated 09.05.2022, by way of affidavit of the Assistant Commissioner of Police (West), Jalandhar, filed in the Registry, is taken on record.

As per the prosecution version, when complainant-Bunty @ Gandhi, on his way to Ramanand Park on his motor-cycle, reached near the turn of Rameshwar Colony, he saw Surjit Singh @ Bunty while standing there; that Surjit Singh @ Bunty called the complainant by raising the voice and thereafter, he had opened fire at the complainant, which hit below his right shoulder, exiting from his chest. It is further stated in the FIR that Surjit Singh @ Bunty was having a grudge against the complainant for the

**CRM-M-10677-2022**

reason that the niece of the former had eloped with a youth and the former had an impression that the complainant had helped that youth in the said act.

Learned counsel for the petitioner further contends that during investigation, the complainant swore an affidavit before the then SHO/Inspector Gurpreet Singh and also got his statement recorded to the effect that Surjit Singh @ Bunty was innocent and that later on, he came to know that it was the petitioner, who had fired gun-shots at him. He further contends that the petitioner was implicated in the present case after two years of the registration of the FIR. So far as other 11 cases registered or pending against the petitioner, are concerned, he has since been released on bail in some cases and in custody in some cases. In support of his contentions, the learned counsel relies upon the judgment delivered by the Hon'ble Supreme Court in Prabhakar Tewari Vs. State of U.P and another 2020 (1) Apex Court Judgments (SC) 211.

On the other hand, learned State counsel, while opposing the prayer for the grant of bail to the petitioner, submits that the petitioner had actively participated in the occurrence and that the complainant later came to know that instead of Surjit Singh @ Bunty, it was the petitioner, who had opened fire at him.

I have heard the learned counsel for the parties.

No recovery was effected from the petitioner. He has been in custody since 20.01.2019. Out of 15 prosecution witnesses, only 08 witnesses have been examined. Trial is unlikely to conclude any time soon.

Therefore, no useful purpose would be served by keeping the petitioner

**CRM-M-10677-2022**

behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

**19.05.2022**

parveen kumar

**(HARNARESH SINGH GILL)**  
**JUDGE**

Whether reasoned/speaking?  
Whether reportable?

Yes/No  
Yes/No