

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-28797-2022
DECIDED ON: 09.12.2022

GURPAL

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Ashish K. Gupta, Advocate
for the petitioner.

Mr. Rajiv Verma, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

This is a petition seeking regular bail in FIR No.128, dated 27.07.2021 (Annexure P-1), under Sections 336, 307, 379-B, 34, 201 of the IPC, (offence under Section 201 of the IPC added later on) and Section 25/54/59 of the Arms Act, registered at Police Station City Nakodar, District Jalandhar Rural.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He also submits that earlier in the present FIR, the petitioner was named as a victim but after two months on a supplementary statement dated 03.10.2021 (Annexure P-2), made by the complainant, the petitioner was arrayed as an accused, who alleged to have caused injury by firing arm shot on the left thigh of the complainant.

On the other hand, learned State counsel has produced the

custody certificate of the petitioner in Court today, which is taken on record, according to which, the petitioner is already behind bars for the last 01 year and 08 days and there is no other case pending against the petitioner. He further submits that the challan has been filed on 24.02.2022 and the charges are yet to be framed.

Since, the investigation is complete; challan stands presented; keeping in view the fact that the petitioner was roped in the present FIR subsequently after two months on the basis of supplementary statement dated 03.10.2021 (Annexure P-2), made by the complainant added with the fact that the petitioner is behind bars for the last 01 year and 08 days and also in the light of the fact that neither any recovery is to be effected from the petitioner nor any custodial interrogation is required now, therefore, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate concerned.

Accordingly, the present petition is allowed.

09.12.2022

Poonam Negi

**(SANDEEP MOUDGIL)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>