

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-33350-2021 (O&M)
Date of decision: 24.01.2022

Santokh Kumar @ Santosh Kumar @ Sonu @ Kakkri

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. L.M. Gulati, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.82 dated 01.04.2021 under Sections 302, 506, 148, 149 IPC and Sections 25/27 of Arms Act, registered at Police Station Sadar Amritsar, District Amritsar.

Learned counsel for the petitioner submits that the petitioner has been implicated in this FIR with the aid of Sections 148/149 IPC. It is further submitted that a perusal of the FIR shows that there is no participation of the petitioner in the alleged occurrence except that he was present at the spot. It is

also submitted that the petitioner is not attributed any active involvement in the commission of offence, as the deceased died due to gunshot fired by main accused Sunny Gill.

Learned counsel for the petitioner has further submitted that some co-accused of the petitioner have already been granted the concession of bail by this Court. It is also submitted that the petitioner has been named as Sonu @ Kakkri in the FIR, whereas his correct name is Santosh Kumar and he is not known by the aforesaid name. It is next submitted that no over act has been attributed to the petitioner, as firearm injury is attributed to Sunny Gill.

Learned counsel further submits that co-accused Sunny Gill and his wife Sandhya have already been arrested and are in judicial custody and even one of the co-accused, namely Labh Singh has been granted the concession of anticipatory bail and one more co-accused Sahil Gupta @ Sagar has been granted the concession of regular bail.

Learned State counsel, on the basis of affidavit of the Investigating Officer/SI Jagjit Singh, Police Station Sadar Amritsar City, filed in the Court today, has opposed the prayer for bail on the ground that the petitioner is real brother of co-accused Sandhya and there is a motive attributed to him, as he had a fight with deceased Sunny @ Talli for teasing his sister Sandhya. It is submitted that the petitioner has been specifically named in the FIR and there is no dispute about his identity, as he is real brother of co-accused Sandhya.

Learned State counsel has further submitted that in view of specific allegations against the petitioner and the motive attributed to him, no case for

grant of regular bail is made out.

After hearing learned counsel for the parties and considering the aforesaid submissions made by them, I find no ground to grant regular bail to the petitioner.

Accordingly, the present petition is dismissed.

[ARVIND SINGH SANGWAN]
JUDGE

24.01.2022
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No