

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

109+224

CRM-M-39005-2021 (O&M)

KHARAK SINGH ALIAS LADI

....Petitioner

VERSUS

STATE OF PUNJAB

....Respondent

CRM-M-50357-2021 (O&M)

GURPREET SINGH @ GOPI

... Petitioner

VERSUS

STATE OF PUNJAB

....Respondent

Date of Decision: 19.04.2022

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. G. S. Madaan, Advocate
for the petitioner (in CRM-M-39005-2021).

Mr. Amitabh Tiwari, Advocate
for the petitioner in (CRM-M-50357-2021).

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J.(Oral)

By this common order above mentioned two petitions,
which arise out of the same FIR, are being disposed of.

By way of the present petitions, filed under Section 439
Cr.P.C., the petitioners seek regular bail in FIR No.135, dated
04.08.2021, registered under Sections 302, 307, 148, 149, 212, 216,
120-B of IPC & Sections 25, 27, 54, 59 of Arms Act (in CRM-M-
39005-2021) and Sections 307, 148, 149 of IPC & Sections 25/27 of

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Arms Act (Sections 302, 212, 216, 120-B of IPC added lateron) (in CRM-M-50357-2021) at Police Station Majitha Road, Amritsar.

Learned counsel for the petitioners have argued that as per the allegations in the FIR, registered at the instance of Satyavaranjit Singh, he alongwith Rajbir Singh had come to KD Hospital, Amritsar for inquiring about the health of a girl namely, Khushween Kaur of their village who was under treatment there. After inquiring her condition, they sat on the chairs outside the ICU and at about 07:00 pm, his son Ranbir Singh @ Rana and his friend Tejbir Singh also came there and when they came out of the ICU, at that time 4/5 unknown armed persons came to the hospital and started firing gunshots with their pistols, revolvers at his son Rana and his friend Tejbir Singh. The Security Guard of the hospital namely, Arun Kumar tried to restrain them, however, the assailants fired gunshots at him as well, which hit on his right shoulder. Ranbir Singh @ Rana received gun shot injuries on his head, chest and leg and Tejbir Singh received gun shot injuries on his back and hand. After giving the gun shot injuries, both of them were admitted in the hospital. The complainant further stated that Jagdeep Singh @ Jaggu Bhagwanpuria has involvement in the attack made on his son because he is having old enmity with his son Ranbir Singh @ Rana and Tejbir Singh and has carried out the attack through his accompish Manni Raya and Jagroshan Hundal and other unknown persons.

Learned counsel for the petitioners further submit that thereafter Ranbir Singh @ Rana has died and Section 302 IPC was added.

On 07.08.2021, Nanit Sharma @ Saurav was arrested and he made a disclosure statement that in fact one Happy Shah @ Gurminderjit Singh has fired upon Ranbir Singh @ Rana and since he was also injured, he has called the petitioners to come there for providing treatment to him.

Learned counsel for the petitioners have submitted that in the disclosure of Nanit Sharma, it is stated that he along with Sukhraj Singh @ Malhi, Gurpreet Singh @ Gopi and his cousin Varinderpal Singh @ Vicky has given shelter to the accused persons and they can be apprehended.

Learned counsel for the petitioners have, thus, referred to the disclosure statement of Gurminderjit Singh @ Happy @ Shah who has stated that about one month ago he had planned murder of Rana Kandowalia as directed by Jaggu Bhagwanpuria in Tihar Jail and Jaggu Bhagwanpuria has told Goldy Brar on phone that for murder of Rana Kandowalia, he has arranged to Mandeep Singh @ Toofan @ doctor Sandhu and Jagroshan Hundal, Mani and three persons namely Deepak @ Deepu, Monu Dollar and one unknown person from Haryana to execute the plan. After the incident, petitioner Kharak Singh @ Laddi was deployed for providing his treatment from Johal Hospital, Batala and Gurminderjit Singh @ Happy was left in the hospital by Gurpreet Singh @ Gopi and son of his uncle namely Varinderpal Singh by giving Rs.55,000 and 70,000/-

Learned counsel for the petitioners have further referred to the disclosure statement of petitioner Gurpreet Singh @ Gopi to submit that nothing has come in the said disclosure that he has

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actively participated in the commission of offence, when the co-accused have fired upon Ranbir Singh @ Rana and Tejbir Singh.

Learned counsel submit that during the investigation, the allegations against the petitioners are of harbouring the accused persons and taking the injured person to the hospital.

Learned State counsel on the basis of affidavit of SHO Police Station Majitha Road, Amritsar has not disputed the factual position.

The aforesaid disclosure statements are attached as Annexures with the affidavit along with the CCTV footage of the hospital, where the petitioners had brought the injured persons.

Learned State counsel, on instructions, further submits that the challan has been presented and petitioners Gurpreet Singh @ Gopi and Kharak Singh @ Ladi are in custody for the last about eight months and eight days and are not involved in any other case.

I have heard learned counsel for the parties.

Without commenting on the merits of the case, considering the aforesaid facts and circumstances, the present petitions are allowed and petitioners namely, Kharak Singh @ Ladi and Gurpreet Singh @ Gopi are ordered to be released on regular bail, subject to their furnishing bail/surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

(ARVIND SINGH SANGWAN)
JUDGE

19.04.2022
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No