

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

(I)

CRM-M-41875-2021 (O&M)

Date of Decision:- 17.2.2022

Karanpreet Singh @ KP

... Petitioner

Versus

State of Punjab

... Respondent

(II)

CRM-M-48561-2021 (O&M)

Sahil @ Kalu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Prateek Sodhi, Advocate,
for the petitioner(s).

Mr. M.S.Dullat, Addl. AG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose of the above mentioned two petitions wherein petitioners Karanpreet Singh @ KP and Sahil @ Kalu, seek grant of regular bail in a case registered vide FIR No. 18, dated

31.1.2021, Police Station Cantonment, Amritsar, under Sections 307, 506, 427, 148, 149 IPC and Section 25(6) and 27 of Arms Act.

2. The FIR in question was lodged at the instance of Ajay Kumar wherein it is alleged that he has enmity with Sahil and cases have been registered against each other. It is alleged that Sahil had formed a gang namely '*kalu*' gang with some other persons and had created an environment of threat and fear in the area. It is alleged that on 30.1.2021 Sahil, Saurav Bhatti, Karanpreet, Amit Kumar @ Ghula and Rahul along with one more unknown person, were standing outside the house of the complainant and were carrying pistols and were raising *lalkaras* challenging the complainant and others to come out and that they will not be spared. They were threatening the complainant to compromise the case registered by them and that failing which the consequences will not be good. The complainant however, replied that since they had injured the complainant's son, he will not compromise the matter, upon which Sahil and his companions got infuriated and started firing indiscriminately at the house of the complainant and of his brother. The complainant and others managed to save their lives by lying down. It is alleged that bullets were fired on the outer wall and on the gate, grill and fiber of the house of the complainant's brother. It is alleged that previously also Sahil and his friends had attacked several times and FIR had been registered against them and that now they were pressurizing them to compromise the matter.

3. Learned counsel representing the petitioner(s) has submitted that they have falsely been implicated in the present case and that although several persons are alleged to have fired indiscriminately, but none has been injured which would clearly suggest that it is a case of false implication. Learned counsel submits that the petitioner(s) in any case deserves the concession of bail on the grounds of parity inasmuch as identically situated co-accused Nikhil @ Nannu and Saurav Bhatti have already been granted bail by the trial Court vide order dated 2.7.2021 and 20.5.2021 (Annexures P-2 and P-3).
4. On the other hand, learned State counsel while opposing the petitions has submitted that present case cannot be said to have been foisted falsely inasmuch as several empty shells of bullets were recovered from the place of occurrence which suggest that the accused had indulged into firing at the complainant and other members of his family. Learned State counsel has further informed that while Sahil stands involved in 13 other cases, petitioner-Karanpreet stands involved in one more case. Learned State counsel has informed that while Karanpreet Singh has been behind bars since the last about 4 months, Sahil has been behind bars for the last about 8 months.
5. I have considered rival submissions addressed before this Court.
6. It is not in disputed that none has been injured in the present case. Challan already stands presented. The petitioner(s) has been behind bars for a substantial period and conclusion of trial is likely to consume time inasmuch as the trial is yet to commence and charges have not been framed so far. Identically situated co-accused have

already been granted bail which would furnish grounds of parity as well for release of the petitioner(s) on bail. The petitions, as such, are accepted and the petitioners are ordered to be released on bail subject to their furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

7. A photocopy of this order be placed on the connected case.

17.2.2022
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No