

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

**CRM-M-42755-2022 (O&M)**

**Date of decision: 29.09.2022**

Sanjay Bansal

...Petitioner

Versus

State of Punjab

...Respondent

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

Present: Mr. A.P.S. Deol, Senior Advocate with  
Mr. Vishal Rattan Lamba, Advocate for the petitioner.

Mr. Subhash Godara, Addl. A.G. Punjab.

Mr. P.S. Dhaliwal, Advocate for the complainant.

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

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 306 dated 09.07.2022 registered under Section 307 IPC and Section 25 of the Arms Act, at Police Station City Barnala, District Barnala.

Learned senior counsel for the petitioner submits that the petitioner has falsely been implicated in the present case; that the FIR was registered on the complaint of Mahavir Singh, cousin brother of injured-Trilok Singh; that it is a version and cross-version case; that the alleged occurrence took place on the petrol pump owned by the petitioner; that the CCTV footage installed at the petrol pump clearly shows that the complainant

party was the aggressor; that a GD No. 37 dated 09.07.2022 also stands registered on the statement of Uttam Bansal-son of the petitioner, stating therein that injured-Trilok Singh and others entered the petrol pump; that the injuries are not on the vital part and the injured has also been discharged from the hospital; that injuries attributed to the petitioner were inflicted in his self defence with a licensed revolver and that the petitioner has been in custody since 09.07.2022.

Learned State counsel and learned counsel for the complainant, while opposing the prayer of bail, submits that it was the petitioner and his son, who had impounded the Tempo of the complainant; that the revolver used in the occurrence along with 5 live cartridges and 5 empty cartridges fired by the petitioner had been recovered from house of the petitioner and that keeping in view the gravity and seriousness of the offence and the fact that the investigation is still pending, no case is made out to grant regular bail to the petitioner. However, learned State counsel does not dispute the custody period of the petitioner.

Learned counsel for the complainant also points out that two bullets are still in the body of injured Trilok Singh.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 09.07.2022. The revolver used in the occurrence and 5 empty cartridges already stand recovered. The injured has been discharged from the hospital. The investigation is still pending. Therefore, the conclusion of the trial would take time. Hence, no useful purpose would be served by keeping the petitioner behind the bars.

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

(HARNARESH SINGH GILL)  
JUDGE

29.09.2022  
Mangal Singh

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| Whether reasoned/speaking? | Yes/No |
| Whether reportable?        | Yes/No |