

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

(THROUGH VIDEO CONFERENCING)

CRM-M-50600-2021

Date of Decision: 12.1.2022

Gagandeep alias Gandhi

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Navneet Singh, Advocate
for the petitioner.

Mr. B.S.Sewak, Addl. AG, Punjab.

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.66 dated 1.3.2021 registered for the offences punishable under Sections 307, 323, 120-B IPC and Sections 25, 27 of Arms Act at Police Station Focal Point, District Ludhiana.

Counsel for the petitioner submitted that the petitioner was neither named in the FIR nor any incriminating article was recovered from his possession. It is further contended that the petitioner is arrested in the present case on 7.9.2021 and on completion of investigation, challan has been presented in the Court. Counsel for the petitioner made prayer for grant of regular bail to the petitioner.

The present petition has been contested by the counsel for the State who contended that as per allegations in the FIR, two unidentified persons fired shots at complainant-Gurvinder Singh at the instance of his

brother Bhupinder Singh who is co-accused in this case.

I have considered the submissions made by the counsel for the parties.

Admittedly, the petitioner was not named in the FIR which was registered against Bhupinder Singh and two other unidentified persons who fired at the complainant. Counsel for the State has not refuted the fact that no weapon or incriminating article was recovered from possession of the petitioner during the investigation. Counsel for the State admitted that investigation has already been completed and even the fact that the petitioner was arrested in the present case on 7.9.2021 has not been denied by him. It will take considerable long time for conclusion of the trial as even at present, the trial Courts are working in a restricted manner and thus, no useful purpose is going to be served by keeping the petitioner in custody for any further period.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

January 12, 2022

Paritosh Kumar

**(KARAMJIT SINGH)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No