

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

CRM-M-57457-2022 (O&M)
Date of Decision:- 14.12.2022

Gurmeet Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Harpal Singh Sidhu, Advocate, for the petitioner.

Mr. Siddharth Attri, AAG, Punjab,
assisted by ASI Jarnail Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in a case registered vide FIR No.125 dated 04.06.2022, Police Station Sidhwan Bet, District Ludhiana Rural, under Sections 336, 506, 148, 149 IPC and Sections 25 and 27 of Arms Act (Section 307 IPC added later on).
2. The FIR was lodged at the instance of Gurcharan Singh wherein it is alleged that on 4.6.2022 when he was present in his fields, then Gurmeet Singh accompanied by 10/15 unknown persons came there and Gurmeet Singh started firing from his weapon, while the others were instigating him. It is alleged that complainant's son Sukhwinder Singh and complainant's brother Gurdeep Singh who

were also working nearby witnessed the entire occurrence and the complainant was able to save himself by hiding in the maize fields. It is further stated therein that Gurmeet Singh and other persons fired in the air and threatened to kill him.

3. Learned counsel for the petitioner submits that he has been falsely implicated in the present case as there is dispute regarding land between the complainant party and the accused. It has further been submitted that the allegations do not seem plausible at all inasmuch as, in case several gun shots had been fired, and the complainant was not accompanied by anybody else, he would have been injured but in the present case there is no injury on any person.
4. Opposing the petition, learned State counsel has submitted that since the petitioner has specifically been named in the FIR and is alleged to be carrying a gun and had fired, his complicity is clearly evident. Learned State counsel has informed that the petitioner as on date has been behind bars since the last more than 1 month and that the petitioner otherwise is not involved in any other case.
5. This Court has considered the rival submissions.
6. It is no doubt correct that the petitioner is specifically named in the FIR, wherein it is alleged that the petitioner along with other co-accused had fired from guns. However, the complainant is not stated to have sustained any injury. At this stage, this Court would not like to comment upon the veracity of the allegations. Keeping in view the fact that the petitioner has been behind bars since the last more than 1 month and otherwise enjoys a clean record, the petition is accepted

and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

14.12.2022
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(GURVINDER SINGH GILL)
JUDGE

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