

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

217

CRM-M-949 of 2023  
Date of decision: 16.01.2023

Major Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present : Mr.J.S.Thakur, Advocate for the petitioner.

Mr.Amit Rana, Sr.DAG Punjab  
for the respondent-State.

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**MANJARI NEHRU KAUL, J. (ORAL)**

This is the first petition filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in case FIR No.27 dated 03.03.2022 lodged under Sections 307, 160, 148, 149, 120-B IPC and Section 25/27 of Arms Act and Section 29-B, 54, 59 of Arms Act (added later on) registered at Police Station Lohian, District Jalandhar Rural.

Learned counsel for the petitioner while inviting attention of this Court to the FIR which has been annexed as Annexure P-1 submits that it was registered against unknown persons and even otherwise no role has been attributed to him therein. It has further been submitted that the petitioner was nominated as an accused pursuant to a disclosure statement made by the main accused Ravinder and Deepu, who stated that fire-arm allegedly used in the occurrence in question had been purchased by the petitioner from main accused

Deepu after the crime in question had been committed. Learned counsel further submits that he has clean antecedents and is not involved in any other criminal case.

Per contra, learned State counsel, on instructions, has not disputed the factual aspect of the submissions made by the learned counsel opposite qua the role attributed to the petitioner in the crime in question. Learned State counsel submits that challan stands presented and the charges are likely to be framed on the next date of hearing i.e. 19.01.2023.

I have heard learned counsel for the parties and perused the material placed on record.

The petitioner has been in custody since 02.06.2022, investigation is complete and challan has already been presented.

In view of the facts and circumstances as enumerated hereinabove coupled with the fact that no role has been attributed to the petitioner in the occurrence in question much less of inflicting any injury on any of the injured witnesses, the instant petition is allowed. The petitioner be admitted to bail to the satisfaction of the trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

**16.01.2023**  
Meenu

**(MANJARI NEHRU KAUL)**  
**JUDGE**

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