

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

202

CRM-M-9798-2022 (O&M)

Date of Decision: 22.03.2023

GURSHARAN SINGH @ BHALLU

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Ms. Rishma Verma, Advocate
for the petitioner.

Ms. Ishma Randhawa, Additional AG Punjab.

HARNARESH SINGH GILL, J.(Oral)

CRM-7086-2023

This is an application for placing on record Annexures A-1 to A-10.

With no objection from the learned State counsel, the present application is allowed.

Annexures A-1 to A-10 are taken on record, subject to all just exceptions.

Registry is directed to tag the same at an appropriate place.

CRM-M-9798-2022

Through this second petition, the petitioner seeks regular bail in case bearing FIR No.12 dated 22.01.2017, registered at Police Station Division No.7, Jalandhar, under Sections 307 and 34 IPC and Sections 25 and 27 of the Arms Act, 1959 (Sections 212, 216, 120-B IPC added later on).

Learned counsel for the petitioner contends that petitioner has falsely been implicated in the present case; that two fire shots, on the chest and back of Pancham Noor, have allegedly been attributed to the petitioner; that at one stage, the petitioner was declared a proclaimed offender on 16.05.2017, but was re-arrested on 01.09.2017; that co-accused, namely, Pankaj Sehdev stands enlarged on bail by a Coordinate Bench, vide order dated 10.08.2017 and co-accused Manmohan Singh Parmar @ Monu Dhaba has also been granted regular bail by this Court. She further submits that initially the complainant in his statement stated that the petitioner had been a pillion rider on an Aactiva, whereas in his supplementary statement recorded on 23.01.2017, he stated that the petitioner had been a pillion rider on a motorcycle.

Learned counsel for the petitioner further submits that Doctor Inderdeep Singh, while appearing as PW-15 before the learned trial Court has stated that the bullet may have been in the body for more than six months, whereas there was no such observation at a prior point. She further submits that as far as other cases registered and/or pending against the petitioner are concerned, he is on bail. Still further, it is submitted that now an application under Section 311 Cr.PC. has been allowed by the learned trial Court.

On the other hand, learned State counsel submits that the petitioner has inflicted two fire shot injuries on the vital parts of the person of Pancham Noor (injured) and thereafter, when the injured was running to save his life, the petitioner again fired a gun shot on his back.

She, however, does not dispute the custody period of the petitioner. She further submits that the petitioner is a habitual offender, inasmuch as, there are other cases registered and/or pending against him. Still further, it is submitted that out of total 24 prosecution witnesses, all have already been examined and the trial is at its fag end.

I have heard the learned counsel for the parties.

This Court is aware of the fact that the FIR was registered under Sections 307 and 34 IPC and Sections 25 and 27 of the Arms Act, 1959 (Sections 212, 216, 120-B IPC added later on) and the petitioner has been in custody since 01.09.2017. However, the fact remains that there are specific and serious attribution of three gun shot fires against the petitioner, which clearly shows his intention. Furthermore, the petitioner was declared as a proclaimed offender, at one stage. There are other cases as well, registered and/or pending against the petitioner. Above all, as per the learned State counsel, all the prosecution witnesses have already been examined and the case is at its fag end.

In view of the above, no ground is made out to grant the concession of regular bail to the petitioner,

Dismissed.

22.03.2023

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>