

CRM-M-13146-2023

2023:PHHC:041126

--1-

216 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-13146-2023

Decided on:-21.03.2023

Vishal Verma @ Mani

....Petitioner..

vs.

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. P.S. Ahluwalia, Advocate,
for the petitioner.

Mr. Amit Shukla, AAG, Punjab.

HARKESH MANUJA J. (Oral)

By way of present petition filed under Section 439 Cr.P.C., the petitioner prays for grant of regular bail during pendency of trial in case FIR No.14 dated 17.01.2023, under Sections 379-B, 511, 34 and 120-B IPC and Sections 25/27/54/59 of the Arms Act, 1959, registered at Police Station Division No.1, District Police Commissionerate Ludhiana.

Learned counsel for the petitioner submits that even as per the disclosure made by co-accused, Ravinder Singh @ Ravi, the petitioner never accompanied them at the place of incident, at best his licensed weapon was being carried by the accused during in occurrence. Learned counsel further submits that even if the contents of the disclosure are taken at the face value, at best the petitioner can be implicated with the aid of Section 120-B IPC. He further points out that the petitioner is already behind the bars for a period of almost 1½ month now and has no past criminal antecedents.

On the other hand, learned State counsel opposes the prayer

made in the present petition by submitting that the weapon of offence was licensed in the name of petitioner and thus, points out towards his direct involvement.

I have heard learned counsel for the parties and gone through the paper book. I find merits in the submissions made on behalf of the petitioner.

In the present case, even as per the disclosure made by co-accused, Ravinder Singh @ Ravi, petitioner never participated in the incident and he is already behind the bars for almost 1½ month. Even no gun shot was fired from the licensed weapon of the petitioner in the incident and as such, the fact as to whether the same was used in the occurrence has to be appreciated at the stage of trial, thus, considering the aforesaid facts, no useful purpose is going to be served by extending the incarceration of the petitioner any further.

In view of the above and without expressing any opinion on the merits of the case, the present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail bonds and surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

21.03.2023

sonika

(HARKESH MANUJA)

JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/ No