

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

224

CRM-M-21334-2023

Date of Decision : 17.05.2023

Mankaran @ Karanpreet Singh @ Karan

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present : Mr. Lakshay Bector, Advocate
for the petitioner.

Mr. Jaspal Singh Guru, Asstt. A.G., Punjab
for the respondent-State.

ASHOK KUMAR VERMA, J. (ORAL)

1. The petitioner has filed the present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.90 dated 15.05.2022 registered under Sections 307, 148, 149 of the Indian Penal Code, 1860 and Section 25 of the Arms Act, 1959 at Police Station Samrala, Police District Khanna, District Ludhiana.

2. The above-said FIR was registered on the statement of complainant-Paramveer Singh s/o Tribat Singh alleging that Paramveer Singh s/o Kewal Singh and Vicky son of Goga along with 07-08 unknown persons, who were armed with pistols and revolvers, attacked on him. Gun shot was fired by accused-Paramveer Singh which hit on his right thigh.

3. Learned Counsel for the petitioner has argued that the petitioner has been falsely implicated in the present case. The present petitioner was not named in the FIR. Later on in his supplementary statement, the complainant named the petitioner levelling general allegations against him that he was also accompanying the co-accused named in the FIR. No specific role or injury has been attributed to the petitioner. The gun fire shot injury has been attributed to co-accused Paramvir Singh. Similarly placed co-accused Sunil Kumar and Gurjant Singh have already been granted concession of regular bail by this Court vide order dated 12.01.2023. The petitioner is in custody since 04.02.2023. Challan has been presented before the trial Court and charges have been framed. Trial is likely to take time and no purpose will be served by keeping the petitioner in custody. Therefore, the petitioner may be ordered to be released on regular bail.

4. On the other hand, learned State Counsel has vehemently opposed the present petition on the grounds that the petitioner had actively participated in the commission of alleged crime.

5. Custody certificated dated 17.05.2023 has been filed by learned State counsel in the Court today which is taken on record. As per the custody certificate, the petitioner is in custody since last more than 03 months and he is not involved in any other case.

6. I have heard learned counsel for the parties and gone through the paper-book.

CRM-M-21334-2023

3

7. Keeping in view the facts and circumstances of the case, custody period of the petitioner, the fact that the petitioner is not involved in any other case and parity with co-accused Sunil Kumar and Gurjant Singh who have already been granted concession of regular bail by this Court vide order dated 12.01.2023 and also the fact that the trial is likely to take long time but without commenting on the merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

8. Accordingly, the present petition is allowed and petitioner-Mankaran @ Karanpreet Singh @ Karan is ordered to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

(ASHOK KUMAR VERMA)
JUDGE

17.05.2023
Kothiyal

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