

IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH

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CRM-M-24656-2023 (O&M)

Date of Decision: 07.08.2023

AMARJIT SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Ms. GK Mann, Senior Advocate with
Ms. Komal Balain, Advocate for the petitioner.

Mr. Gurdarshan Singh Sidhu, AAG, Punjab.

Mr. SS Majithia, Advocate
for the complainant.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.19 dated 27.01.2023, registered under Sections 307, 148, 149, 506, 109, 201, 465, 467, 471 IPC and Sections 25 and 27 of the Arms Act, at Police Station Cantonment, District Police Commissionerate Amritsar.

Learned Senior counsel for the petitioner submits that it was the son of the petitioner, who has taken away his service revolver and gave gun shot injury to the daughter of the complainant; that the petitioner was neither present at the spot nor he has played any role in the alleged occurrence; that the petitioner has also lodged an FIR No.67 dated 12.03.2022 under Section 307 IPC against the husband of the complainant and that the petitioner has been in custody since 03.04.2023.

Per contra, while opposing the prayer for grant of regular bail

to the petitioner, learned State counsel and learned counsel for the

complainant do not dispute the custody period of the petitioner.

Learned counsel for the complainant submits that the petitioner, being a father, has outrightly helped his son and intentionally handed over his service revolver, which was used in the occurrence; that daughter of the complainant has already cleared MBBS but because of the gun shot injury given by the son of the petitioner, she has now become bed ridden and that the material witnesses are yet to be examined and thus, the petitioner be not granted the concession of regular bail.

I have heard the learned counsel for the parties.

As per the allegations, the son of the petitioner has taken away his service revolver and gave a gun shot injury on the person of the daughter of the complainant, who is now stated to be bed ridden. Petitioner was not present at the spot. The petitioner has also lodged an FIR No.67 dated 12.03.2022 against the husband of the complainant. The petitioner has been in custody since 03.04.2023. Out of 35 prosecution witnesses, none has been examined so far. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on the merits of the case, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

07.08.2023

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

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