

CRM-M-33566-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-33566-2023

Date of decision: 29.08.2023

DALJIT SINGH

...Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. C.S.Jattana, Advocate for
Mr. Daljeet Singh Virk, Advocate,
for the petitioner.

Mr. Shubham Kaushik, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

1. Through this petition, the petitioner seeks regular bail in case bearing FIR No.105 dated 18.07.2022, registered under Sections 307, 148, 149, 323, 324, 201 IPC and Section 27 of the Arms Act, at Police Station Chhathiwind, District Amritsar.
2. Status report dated 29.08.2023 by way of affidavit of the Deputy Superintendent of Police (PBI) NDPS-cum-Narcotics), Amrtisar Rural, filed in the Court today, is taken on record.
3. Learned counsel for the petitioner contends that as per the prosecution version, the petitioner had fired gun-shots causing injuries on the right leg of the complainant and left knee of Sukhbir Singh; that the petitioner has been in custody since 27.10.2022; that challan has been presented and that out of 22 prosecution witnesses, none has been examined till date. So far as two other cases registered or pending against the petitioner, are concerned, he has been bailed out therein.

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4. On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, submits that specific gun-shot injuries have been attributed to the petitioner; that the petitioner is a habitual offender, and that the complainant and the eye-witness(s) are yet to be examined. It is further submitted that the petitioner and the complainant are neighbourers and there is an apprehension that the petitioner may influence or win over the witnesses, if he is released on bail.

5. I have heard the learned counsel for the parties.

6. Though the petitioner has been attributed gun-shot injuries on the right leg of the complainant and left knee of Sukhbir Singh, yet the fact remains that the same were on the non-vital parts and that the petitioner has been in custody since 27.10.2022. Moreover, one injury, out of the aforesaid two injuries, has been declared simple in nature. Out of 22 prosecution witnesses, none has been examined till date. Trial is unlikely to conclude any time soon. As pointed out above, the petitioner has been bailed out in two other cases registered against him. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

7. In view of the above, without commenting anything on the merits, 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 and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

29.08.2023

parveen kumar

(HARNARESH SINGH GILL)
JUDGEWhether reasoned/speaking?
Whether reportable?Yes/No
Yes/No