

**216 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-39459-2022

DECIDED ON: 31th JANUARY, 2023

CHARANJOT SINGH @ JIGAR SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. G.B.S. Dhillon, Advocate
for the petitioner.

Mr. Mohit Kapoor, Addl. AG, Punjab.

Mr. Pankaj Kundra, Advocate for
Mr. Deepak Sabherwal, Advocate
for the complainant.

SANDEEP MOUDGIL, J. (ORAL)

The jurisdiction of this Court under Section 439 Cr.P.C. has been invoked for the grant of regular bail to the petitioner in GD No. 026, dated 18.06.2022, under Sections 307, 148 and 149 IPC and Sections 25 & 27 of Arms Act in FIR No. 93, dated 18.06.2022, under Sections 302, 307, 120-B and 34 IPC and Sections 25 & 27 of Arms Act, registered at Police Station Chattiwind, District Amritsar Rural.

Learned counsel for the petitioner contends that it is a cross-version case wherein the FIR is later in time, which was got lodged at 9.05 P.M on 18.06.2022 whereas the case at the behest of petitioner was got registered at 4.30 P.M., on 18.06.2022. The occurrence took place on

17.06.2022 wherein the allegation qua the petitioner is that he gave fire arm injury on the thigh of the complainant.

Learned counsel for the petitioner has drawn attention of this Court to an affidavit dated 12.12.2022 of Mr. Gurmit Singh Sidhu, PPS, Deputy Superintendent of Police (Headquarters), Amritsar (Rural) wherein, para 13 it has been categorically stated that during investigation it has revealed that the petitioner was not having any firearm with him and he had already sold his licensed weapons i.e. .12' bore DBBL gun and .32 bore revolver possessed by him under license No. CP/ASR/ARM/CL/1014/043 to the Royal Gun House, Amritsar after obtaining permission from the D.C.P. (Law & Order), Amritsar City on 14.06.2022.

The only allegation qua the petitioner is that he was the member of an unlawful assembly and during investigation, he has not been attributed any injury.

Learned State counsel has produced the custody certificate of the petitioner today in Court, which is taken on record. According to the custody certificate, the petitioner is behind bars for the last 07 months and 11 days and is not involved in any other matter of similar nature.

Considering the fact that during investigation it has come on record that the petitioner was not having any firearm and has not been attributed any injury and the fact that it is a cross-version and FIR is later in time and also considering the fact as is evident from the report of Department of General Surgery dated 17.06.2022 wherein, it has been reported that the petitioner has suffered a fracture on his right forearm due to gunshot injury meaning thereby that he was not in possession of any firearm, petitioner is ordered to be released on regular bail subject to his furnishing requisite bail

bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate,
concerned.

Ordered accordingly.

31th JANUARY, 2023

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(SANDEEP MOUDGIL)
JUDGE

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