

S. No.221

2023:PHHC:118482

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-43739 of 2023

Date of Decision:11.09.2023

Ajay Verma

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. A.P.S. Khadial, Advocate for the petitioner.

DEEPAK GUPTA, J. (Oral)

By way of present petition filed under Section 439 Cr.P.C., petitioner has prayed for grant of regular bail in case FIR No.77 dated 14.06.2022 registered under Sections 302, 307, 452, 506, 427, 148, 149 IPC and 25 and 27 of Arms Act, at Police Station Raman, District Bathinda (later on challan was presented under Sections 302, 307, 450, 452, 506, 427, 34 IPC and Sections 25, 27, 54, 59 of Arms Act).

Notice of motion.

Mr. M.S. Nagra, AAG, Punjab, accepts notice on behalf of the respondent- State.

Learned State Counsel concedes the fact that case of the petitioner is on parity with the co-accused Aman Soni @ Joti Verma @ Jyoti Verma, who was allowed bail by this Court vide order dated 22.08.2023.

On 22.08.2023 in CRM-M-39810 of 2023, the following order was passed by this Court:-

“Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail in case FIR No.77, dated 14.06.2022, under Sections 302, 307, 452, 506, 427, 148, 149 IPC, besides Sections 25 and 27 of the Arms Act, 1959,

registered at Police Station Raman, District Bathinda [later on challan was presented under Sections 302, 307, 450, 452, 506, 427, 34 IPC, besides Sections 25, 27 of the Arms Act (Act No.54 of 1959)].

This is the second bail petition. The earlier petition bearing CRM-M-58770-2022 was dismissed as withdrawn with liberty to file fresh petition with better particulars.

It is contended by learned counsel for the petitioner that fire arm injury is attributed to co-accused Munish Kumar to deceased Gurpreet Singh as well as injured Sandeep. The only role attributed to the petitioner is that he was present at the spot and had given slap and fist blows to the complainant party.

Notice of motion.

Mr. Parneet Singh Pandher, AAG, Punjab accepts notice on behalf of respondent-State. Mr. P.S. Sekhon, Advocate has appeared on behalf of the complainant.

Custody certificate of the petitioner has been placed on record. As per which, petitioner is in custody for the last 01 year, 02 months and 04 days, with no criminal antecedent.

Learned State counsel concedes the fact that the only role attributed to the petitioner is that he was present at the spot and that he had given slap and fist blows to the complainant party. The main attribution to have caused death by fire arm is to co-accused Munish Kumar.

Having regard to the aforesaid facts and circumstances, but without commenting anything on the merits of the case, the petitioner is admitted to regular bail. He is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned.

Allowed.”

Considering the fact that role of the petitioner is on parity with that of the co-accused Aman Soni @ Joti Verma @ Jyoti Verma, but without

commenting anything on the merits of the case, present petition is allowed and the petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate concerned.

September 11, 2023

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Whether Speaking/reasoned

Whether Reportable

(DEEPAK GUPTA)

JUDGE

Yes/No

Yes/No