

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

212

CRM-M-46096-2022

Date of Decision.:17.04.2023

Gagandeep Singh @ Pawna
Vs.
State of Punjab

.....Petitioner

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Kirat Pal Dhaliwal, Advocate
for the petitioner.

Mr. Randeep Singh Khaira, DAG, Punjab.

DEEPAK GUPTA, J. (ORAL)

The petitioner is seeking regular bail by way of this petition under Section 439 Cr.P.C in case FIR No.18 dated 30.01.2022 registered under Sections 307/34 of the IPC and 25, 54, 59 of Arms Act, registered at Police Station PAU, District Ludhiana.

It is contended by learned counsel for the petitioner that alleged occurrence took place on 30.01.2022 at about 06:30 a.m. FIR was lodged at the complaint of Harjinder Singh, as per which two unknown persons fired at him from behind and that one bullet hit him on right arm and one on his back. It is pointed out that petitioner was admitted in the hospital at 09:30 a.m. and there is no justification for this delay. Petitioner was not named in the FIR. Supplementary statement was made by the injured on 11.02.2022 as per which, 4 gun shots were fired at him from behind and then on 12.02.2021, Lakhwinder Singh made a statement under Section 161 Cr.P.C. as per which he heard conversation of the present petitioner and one

Kamaljit Singh talking to each other as per which they had fired upon the

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injured. Injured Sukhwinder Singh made supplementary statement on 15.03.2022 naming the petitioner and his co-accused to be the assailants.

It is rightly pointed out that in case one of the assailant was the co-brother of the injured, he would have been identified him immediately. However, petitioners have been named by the injured after more that 1½ month of the alleged occurrence. As per custody certificate placed on record, petitioner is in custody since 16.02.2022 i.e. for the last 1 year 2 months and 1 day with no criminal antecedents.

Having regard to the aforesaid facts and circumstances but without commenting anything further on the merits of the case, petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

April 17, 2023

Neetika Tuteja

**(DEEPAK GUPTA)
JUDGE**

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No