

224 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-44969-2023
Date of Decision: 07.11.2023

Ranjit Singh alias Rana alias Vicky ...Petitioner

VS.

State of Punjab ...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Vipin Mahajan, Advocate
for the petitioner.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 Cr.P.C. with a prayer to grant regular bail to him in case FIR No.121 dated 25.06.2023 registered under Sections 307, 506, 120-B, 148, 149 of IPC and Sections 25 and 27 of Arms Act, 1959, at Police Station Cantonment, District Amritsar.

2. The FIR in the present case was registered on the basis of the statement made by Gurjant Singh. As per the complainant, his friend, Mandeep Singh @ Sahil had a dispute with Sarthak and his brother Parteek few days ago. Sarthak had threatended Mandeep Singh @ Sahil on telephone. On this, the complainant went to the house of Mandeep Singh @ Sahil and after that, they went to meet Gaurav Sharma at Mohini Park, Amritsar. Sarthak made a call to Mandeep Singh @ Sahil and told him that he wanted to meet him and Mandeep Singh @ Sahil disclosed that they were near Khalsa College, Amrtisar. At about

12.40 am in the night, Sarthak called on whatsapp to meet the complainant outside Khalsa College. On this, Mandeep Singh @ Sahil, Rohit Sharma, Sukhraj Singh and Sahil came outside Khalsa college, Amritsar, where Deepak Arora, father of Sarthak and Ranjit Singh @ Rana, owner of PG, met them. They started talking to them. In the meantime, Sarthak came on a Pulsar motorcycle, driven by some other boy and Parteek and one more boy were also came there. Sarthak was carrying a pistol in his hand and he fired on the complainant with an intention to kill him, which hit him on his left thigh. He fired two more shots. The third shot was fired at Mandeep Singh @ Sahil, which did not hit him.

3. Learned counsel for the petitioner contends that the petitioner has been falsely involved in the present case by the complainant due to previous enmity. He further contends that as per the case of the prosecution, all the fired shots have been attributed to Sarthak, co-accused and the petitioner is simply shown to be present at the place of occurrence. Even, Sarthak, who had fired shot, had come separately and the petitioner has been falsely involved in the present case with the aid of Section 149 IPC. He further contends that the petitioner was arrested in the present case on 25.06.2023 and is in custody for the last more than 4 months. The challan has already been presented in the present case and further custody of the petitioner will not serve any meaningful purpose.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that the co-accused of the petitioner had fired several shots and the petitioner had also actively participated in the commission of crime.

5. I have heard the learned counsel for the parties and perused the record.

6. The petitioner was arrested in the present case on 25.06.2023 and is in custody for the last more than four months. The challan has already been presented by the police and the conclusion of the trial may take quite a long time. Apart from that, no specific role has been attributed to the present petitioner and he is simply shown to be present alongwith other co-accused, at the place of occurrence.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

07.11.2023
hemlata

(N.S.SHEKHAWAT)
JUDGE

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