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

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CRM-M-48591-2023

Date of decision : 06.12.2023

Gurpreet Singh @ Gopi**..... Petitioner****versus****State of Punjab****..... Respondent****CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN**

Present: Mr. Brijesh Nandan, Advocate
for the petitioner.

Mr. Kunal Vinayak, AAG, Punjab.

PANKAJ JAIN, J. (Oral)

1. Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.49 dated 15.03.2022, registered for the offences punishable under Sections 307 and 34 of IPC, 1860 and Section 25 of Arms Act, 1959 (Sections 302, 420, 468, 471, 120-B and 201 of IPC, 1860 and Section 27 of Arms Act, 1959 added later on) at Police Station City Patti, District Tarn Taran.

2. As per the contents of the FIR, it has been alleged as under:-

“Statement of Daljit Singh son of Gurmej Singh resident of Baba Jiwan Singh Nagar Ward No. 14 Patti, aged about 32 years, Mobile No 0872774453. I would like to state that I am resident of above noted address and working as Palledar at Railway station Patti. I have two sisters who are married and my wife Veena Rani is working in

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Thread Mill at Ludhiana. My mother has died about two years ago and my father Gurmej Singh is residing in the house. On 14.03.2022 I along with my father was present in the house then at about 03.00 PM my father has received phone call on his mobile No. 97799-98235 from mobile No. 76968-86116, then my father told me that we will go up to Buana temple. My father was driving motorcycle and I was sitting on the back side. On reaching at Temple my father has made phone call on that mobile number and thereafter we gone towards Railway crossing and after waiting for some time, we were coming back then two young men who covered their faces with Parna, were coming on motorcycle from front side and they stopped our motorcycle and asked us that which is the house of Gurcharan Singh, then my father told them that we don't know about it, in the meantime, the person sitting on back seat of motorcycle has taken out his pistol and made direct fire of pistol to my father with the aim to kill him, which hit on the left side cheek of my father and they both youngmen ran away from there along with their motorcycle. I immediate arranged the vehicle and got my father admitted in Sandhu Hospital, Patti, where after giving first aid to my father, referred him to Amandeep Hospital, Amritsar where my father is under treatment. I can identify the said both youngmen on appearing before me. They had caused injury to my father by making fire on my father with the aim to kill him, strict legal action be take against them.”

3. Custody of the petitioner has been placed on record. As per which, the petitioner has undergone actual custody of 01 year, 08

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months and 19 days. The role attributed to the petitioner as per the prosecution is that one of the mobile numbers mentioned in the FIR i.e. 7696886119 was found to be in the name of Charanjit Singh, who joined in the investigation. As per Charanjit Singh, he got a sim activated from the shop of the present petitioner. It was claimed by Charanjit Singh that his identity documents were misused by the petitioner while issuing sim to other person. Beyond that there is no role attributed to the petitioner in the report under Section 173 Cr.P.C. On the query being asked from learned State counsel, he submits that the role attributed that too by Charanjit Singh is the only allegation against the present petitioner.

4. Keeping in view the allegations levelled against the petitioner and the incarceration already suffered by him, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

5. Needless to say nothing recorded herein shall be construed to be an expression of an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

06.12.2023
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No