

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No.216

Case No. : CRM-M-53284-2022

Date of Decision : February 06, 2023

Paramjit Singh Petitioner

vs.

State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE GURBIR SINGH.

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Present : Dr. Anmol Rattan Sidhu, Senior Advocate
with Mr. Sukhcharan Singh Gill, Advocate
for the petitioner.

Mr. Jaiteshwar S. Bhandari, AAG, Punjab.

Mr. N. S. Dadwal, Advocate
for the complainant.

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GURBIR SINGH, J. :

This is a petition under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.46 dated 21.04.2022, under Sections 307, 506, 34 IPC, 1860 and under Sections 25/27/54/59 of the Arms Act, 1959, registered at Police Station Sadar Zira, District Ferozepur.

The FIR in question was registered on the statement of one Jaswinder Singh, wherein it was stated that on 20.04.2022, he, his father Angrej Singh, mother and uncle Tota Singh were harvesting the wheat crop. The petitioner armed with pistol along with others came there. Inderjit Kaur raised *lalkara* to fire at the complainant party as they were harvesting the crop. The petitioner fired a shot towards Angrej Singh hitting on the right

side of his stomach. Thereafter, he fired 2-3 shots in air and on raising *raula*, they ran away from the spot.

Learned counsel for the petitioner states that it is a case of version and cross-version. Gurmukh Singh received gunshot injury by the complainant party and Major Singh also received injuries on his person at the hands of complainant party but the police wrongly found the cross-version to be false. It is further submitted that civil dispute regarding the land in question is pending. Challan is already presented. The case was fixed for prosecution evidence. On the last date of hearing, it was directed to examine the complainant/injured but after examining the complainant/injured, the State has moved an application under Section 319 Cr.P.C. to summon Inderjit Kaur (wife of the petitioner), who was declared innocent during investigation, as additional accused. The petitioner is in custody since 09.05.2022. The completion of trial will take long time. Therefore, the petitioner be granted concession of regular bail.

Learned State Counsel and learned counsel appearing for the complainant have opposed the prayer made by learned counsel for the petitioner. It is submitted that cross version was found to be false. The accused party caused injuries to the complainant party knowing fully that the land in question was in possession of the complainant party and they were harvesting their own wheat crop. However, this fact is admitted that the petitioner is in custody since 09.05.2022.

Heard.

In this case, challan is already presented. After recording statement of the complainant and injured, the prosecution has moved

application under Section 319 Cr.P.C. for summoning Inderjit Kaur as additional accused.

Keeping in view the fact that the petitioner is in custody since 09.05.2022, the challan has also been presented and the completion of trial will also take a long time, no useful purpose would be served by keeping the petitioner behind bars for a long period.

Accordingly, without commenting upon the merits of the case, the present petition is allowed and the petitioner is directed to be released on regular bail, on his furnishing bail bonds/surety bonds, to the satisfaction of learned Trial Court/Duty Magistrate, Ferozepur.

However, nothing contained herein above shall be construed as an expression of opinion on the merits of the case.

February 06, 2023
monika

(GURBIR SINGH)
JUDGE

Whether speaking/reasoned ?	Yes/No.
Whether reportable ?	Yes/No.