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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-54904-2023

Date of Decision: 08.11.2023

Amritpal Singh Kahlon

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Dilpreet Singh Gandhi, Advocate
for the petitioner.

Mr. G.S.Sidhu, AAG, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No. 122 dated 23.05.2021, under Sections 307, 120-B, 148 and 149 of IPC, 1860 and Sections 25 and 27 of the Arms Act, 1959, registered at Police Station Chattwind, Amritsar-Rural, District Amritsar.
2. Learned counsel for the petitioner submitted that the petitioner is in custody for more than 3 months and the investigation qua him and some other co-accused has already been completed and thereafter, challan has also been presented before the competent Court qua him. He further submitted that as per the allegation, the complainant had stated before the Police that there was a dispute between the petitioner and some of the other co-accused and not with the present petitioner and the role assigned to the

petitioner was that he had called the injured outside and thereafter, the gunshot was fired by one co-accused, namely, Saranbir Singh @ Sanna from his weapon but there is no act of injury attributable to the present petitioner. He also submitted that petitioner has been falsely implicated in the present case and no overt act has been attributed to the petitioner even as per the prosecution story. He further submitted that the petitioner has clean antecedents and is not involved in any other case and now the investigation of the case has already been completed and nothing has been recovered from him, therefore, the petitioner may be considered for grant of regular bail.

4. On the other hand, Mr. G.S.Sidhu, learned AAG, Punjab stated that it is correct that the petitioner is in custody for more than 3 months and qua him investigation of the case has been completed and thereafter, challan has been presented before the competent Court. The antecedents of the petitioner being not involved in any other case is also not disputed by the learned State counsel. The role of the petitioner as stated by the learned counsel for the petitioner has also not been disputed by the learned State counsel.

5. In view of the aforesaid circumstances, this court is of the view that considering the aforesaid facts and circumstances which have not been disputed by the learned State counsel, the petitioner deserves the concession of regular bail. Consequently, the present petition is allowed and the petitioner is ordered to be released on regular bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned, if not required in any other case.

6. However, anything observed hereinabove shall not be treated as

an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

08.11.2023

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |