

223 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-55110-2023

Date of Decision: 17.11.2023

Sukhbir Singh

...Petitioner

vs.

State of Punjab

...Respondent

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

Present : Mr. Varinder Basa, 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 of the Cr.P.C. with a prayer to grant a regular bail to him in case FIR No.106 dated 16.11.2021, registered under Sections 307, 323, 341, 506, 148, 149 of IPC and Sections 25, 27 of Arms Act, at Police Station Rangar Nangal, District Batala, Gurdaspur.

2. As per the case of the prosecution, the petitioner had fired a shot from his pistol, due to which Harpreet Singh had suffered injuries on his left arm. He again fired a shot from his pistol and Harpreet Singh had suffered injuries on the middle finger of his right hand. While referring to the orders Annexures P-2 to P-5, learned counsel contends that Kulwinder Singh @ Dhillu, Kanwaljit Singh @ Dody, Malkiat Singh @ Billa and Gurbinder Singh have already been granted the concession of regular bail by the trial Court. Further, other two co-accused, namely, Gurwinder Singh and Manikaran Kumar have also been granted the concession of anticipatory bail, vide orders

Annexures P-6 and P-7. Learned counsel further contends that the injuries caused by the present petitioner are on non-vital part of the body of the complainant. He next contends that the petitioner was arrested in the present case on 16.06.2023 and is in custody for the last more than 05 months. He further contends that one more FIR No.29 dated 04.06.2023 under Section 379, 411 of IPC at Police Station Matewal was registered against the present petitioner, however, the petitioner has already been granted the concession of bail in the said case.

3. On the other hand, learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioner.

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

5. From the record, it is apparent that other similarly placed co-accused, namely, Kulwinder Singh @ Dhillu, Kanwaljit Singh @ Dody, Malkiat Singh @ Billa and Gurbinder Singh have already been ordered to be released on bail vide orders Annexures P-2 to P-5. Even otherwise, injuries suffered by Harpreet Singh, injured are on non-vital part of the body and the petitioner has already suffered incarceration for a period of five months.

6. Without commenting any further on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

(N.S.SHEKHAWAT)
JUDGE

17.11.2023
hemlata

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