

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
CRM-M-3137-2024
Date of Decision:25.01.2024

Rajpinder Singh ...Petitioner

vs.

State of Punjab ...Respondent

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

Present : Mr.G.K Mann, Sr. Advocate with
Mr. Anmol Jewan Singh Gill, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 Cr.PC with a prayer to grant regular bail to him in case FIR No. 19 dated 27.01.2023, registered under Sections 307, 148, 149, 506, 109, 201, 465, 467, 471, 120-B, of IPC and under Section 25/27/54 of Arms Act, Police Station Cantonment, District Police Commissionerate, Amritsar.
2. The FIR in the present case was registered on the basis of the statement made by Sandeep Kaur wife of Naunhial Singh. As per her, she is mother of Amoldeep Kaur. On 27.01.2023, the petitioner had fired a shot on Amoldeep Kaur, with whom he was having with love affair. He had used the licensed revolver of his father Amarjit Singh.
3. Learned senior counsel submits that the petitioner has been falsely involved in the present case . Learned senior counsel next contends that in fact, the petitioner and Amoldeep Kaur, injured had a love affair and due to this, her father had caused serious injuries to the present petitioner. Learned counsel

further submits that one FIR No.67 dated 13.03.2022 under Section 307 of IPC was registered at Police Station Cantonment, District Police Commissionerate, Amritsar against the father of the injured. Learned counsel further contends that the petitioner was arrested in the present case on 08.02.2023 and is in custody for almost 01 year. She further contends that the challan has already been presented in the present case and the injured has been discharged long ago. Learned senior counsel further submits that no witness has been examined so far and the charge is yet to be framed in the present case and the prosecution has made all attempts to delay the trial.

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 serious injuries were caused by the present petitioner to Amoldeep Kaur, without any justification.

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

6. In the present case, the petitioner was arrested on 08.02.2023 and is in custody for the last about 11 months. The challan has already been presented against him.

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

(i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the

Court or to any other authority.

(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.

(iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.

(v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.

(vi) In case, the petitioner is involved in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.

(vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

8. In case, the petitioner violates any of the conditions mentioned above, it shall be viewed seriously and the concession of bail granted to him shall be liable to be cancelled and the prosecution shall be at liberty to move an application in this regard.

(N.S.SHEKHAWAT)
JUDGE

25.01.2024
hitesh

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