

233 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-3866-2024
Decided on:-30.01.2024

Pargat Singh @ PangaPetitioner..

vs.

State of PunjabRespondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Krishan Sehajpal, Advocate,
for the petitioner.

Mr. G.S. Dhillon, AAG, Punjab.

HARKESH MANUJA J. (Oral)

1. By way of present petition filed under Section 439 Cr.P.C., prayer has been made for grant of regular bail to the petitioner in case bearing FIR No.75 dated 18.09.2023 registered under Sections 307, 452, 34, 120-B IPC and Sections 25, 54, 59 of the Arms Act, 1959 and Sections 411, 473, 148 and 149 IPC (added later on) at Police Station Kalanaur, District Gurdaspur, wherein the petitioner has been implicated on the basis of disclosure statement made by co-accused namely, Sherpreet Singh.

2. The prayer made on behalf of the petitioner has been opposed by learned State counsel while submitting that the petitioner is the one, who on the asking of one Gursewak Singh hired assailant, who fired shot on the person of Harpreet Singh (victim-complainant).

3. I have heard learned counsel for the parties and gone through the paper book and find substance in the submissions made on behalf of the petitioner.

4. Admittedly, the petitioner has been implicated primarily on the basis of disclosure statement made by co-accused, namely, Sherpreet Singh besides the electronic evidence which shall be appreciated at the time of trial.

5. Considering the fact that the investigation in the present case already stands concluded with the filing of challan on 06.01.2024 and trial is likely to take some time, besides it, the petitioner is already behind the bars for the last 03 months as well as the fact that co-accused of the petitioner namely, Gursewak Singh has already been granted the concession of regular bail by this Court vide order dated 05.01.2024 passed in CRM-M-63719-2023, I do not find any reason to extend the incarceration of the petitioner any further.

6. Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate.

7. It is made clear that this order may not be construed as an expression of opinion on the merits of the case.

30.01.2024
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(HARKESH MANUJA)
JUDGE

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