



**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-3795-2024

Date of decision: 11.09.2024

Iqbal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Ankit Bishnoi, Advocate for the petitioner.

Mr. Inderjeet Singh, DAG, Punjab.

Mr. Jaskaramjeet Singh Sibia, Advocate
for the complainant.

KARAMJIT SINGH, J. (ORAL)

1. The petitioner has filed the present petition under Section 439 Cr.P.C. with a prayer for grant of regular bail in a criminal case having FIR No.111 dated 19.06.2022, under Sections 307, 160, 34 IPC and Section 27 of Arms Act, registered at Police Station Sadar, Sri Muktsar Sahib.

2. The allegations in nutshell are that police received information that Jagmeet Singh son of Avtar Singh was having dispute regarding water pipes with his co-villager Karamjit Singh son of Balwant Singh and on 18.06.2022 at about 10 pm, petitioner Iqbal Singh and his brother Jagmeet Singh went to irrigate their fields, where aforesaid Karamjit Singh and his son Harwinder Singh @ Kaka also reached in a jeep and then, both the parties started fighting with each other regarding the water pipes belonging to Karamjit Singh which passes through the fields of Jagmeet Singh and



cross firing also took place and petitioner Iqbal Singh and Karamjit Singh sustained fire arm injuries and they were removed to two different hospitals and on the basis of aforesaid information, the investigating officer sent ruqa and consequently, FIR No.111 dated 19.06.2022 was registered in the present case.

3. As per allegations appearing on the record at the time of aforesaid occurrence Harwinder Singh @ Kaka caused fire arm injury to the petitioner and as per cross version, petitioner Iqbal Singh caused fire arm injury to Karamjit Singh.

4. The counsel for the petitioner submits that the present case involves version as well as cross version. As per version case, Harwinder Singh @ Kaka son of Karamjit Singh fired shot with his gun which hit the present petitioner. It is further submitted that the plea of the opposite party is that the present petitioner caused fire arm injury to aforesaid Karamjit Singh father of Harwinder Singh @ Kaka. It is further submitted that petitioner is in custody for the last about 10 months and is not involved in any other criminal case. It is further submitted that the material witnesses in version as well as cross version are examined during trial. That however, it will take time for the trial to conclude. So, prayer is made that petitioner be released on bail pending trial.

5. The present petition is resisted by the State counsel and counsel for the complainant. Both of whom have submitted that there are specific allegations against the petitioner that he caused fire arm injury to Karamjit Singh. It is further submitted that no doubt, there is a version as well as cross version involved in the present case, but the petitioner being main



accused does not deserves concession of bail. The State counsel has not disputed the fact that the petitioner is in custody for last about 10 months and material witnesses Karamjit Singh, Ravjot Singh and Jaswinder Singh are examined against the petitioner during trial. However, so many other prosecution witnesses remain to be examined.

6. I have considered the submissions made by counsel for the parties.

7. Admittedly, petitioner is in custody for the last about 10 months. Recovery of fire arm used in commission of crime was effected during investigation. It appears that at the time of occurrence even present petitioner also suffered fire arm injury at the hands of the opposite party. During trial, key witnesses are examined. So, there is no apprehension that if released on bail, the petitioner will influence the star witnesses. It will take time for trial to terminate. Further, It is a matter of evidence as to who was the aggressor party. In the given circumstances, no purpose will be served by prolonging the judicial custody of the petitioner.

8. In light of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

11.09.2024

Yogesh

**(KARAMJIT SINGH)
JUDGE**

**Whether speaking/reasoned:-
Whether reportable:-**

**Yes/No
Yes/No**