

233 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-3861-2024
Date of Decision:30.01.2024

Arshdeep Singh ...Petitioner

VS.

State of Punjab ...Respondent

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

Present : Mr. Neeraj Yadav, 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 regular bail to him in case FIR No.94 dated 24.05.2023 registered under Sections 302, 307, 148, 149 of IPC and Sections 25, 27 of the Arms Act (Sections 212, 216 of IPC added later on), at Police Station Beas, Amritsar (Rural).

2. The FIR in the present case was registered on the basis the complaint moved by Ajit Singh. As per him, at about 11.30 a.m. on 24.05.2023 he alongwith his son Jarnail Singh were present at the flour Mill of Inder Singh. In the meantime, four unknown persons came out of Dzire car and one person remained seated on the driver seat. Three assailants, who were armed with pistols, started firing on Jarnail Singh. As a result, Jarnail Singh suffered bullet injuries and succumbed to the injuries at the spot itself. Major Singh also suffered one bullet injury. After committing the crime, all the accused ran away

from the spot.

3. Learned counsel for the petitioner contends that as per the case set up by the prosecution, the petitioner along with his co-accused had granted shelter to Gagandeep Singh alias Dadi, Jobanjit Singh alias Billa, Varinder Singh alias Joban, Gurmet Singh alias Bana and an unknown person. Apart from that, no other role has been assigned to the present petitioner. He further contends that as per case of the prosecution, the petitioner was not present at the place of occurrence and had not participated in the alleged occurrence in any manner. He further contends that the petitioner was arrested in the present case on 09.06.2023 and similarly placed co-accused Rajwinder Singh has already been granted the concession of bail by this Court, vide order dated 18.01.2024 passed in CRM-M-726-2024 (Annexure P-4).

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

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

6. As per case set up by the prosecution, the petitioner had only granted shelter to Gagandeep Singh alias Dadi, Jobanjit Singh alias Billa, Varinder Singh alias Joban, Gurmet Singh alias Bana and an unknown person and apart from that no other role has been assigned to him. The petitioner is in custody since 09.06.2023 and the final report under Section 173 Cr.P.C. has already been presented against him. Even the case of the petitioner is at par with Rajwinder Singh, who has already been released on bail.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his

furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

30.01.2024
hemlata

(N.S.SHEKHAWAT)
JUDGE

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