

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-6683-2024

Date of Decision: February 13, 2024

JANGA SINGH @ GANJA

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Vipul Aggarwal, Advocate for the petitioner.
Mr. Kewal Singh, Addl. A.G. Punjab.

HARKESH MANUJA, J. (ORAL)

1. By way of present petition filed under Section 439 CrPC, prayer has been made for grant of regular bail in case FIR No. 75 dated 18.09.2023 registered under Sections 452, 307 & 34 of IPC (Sections 411, 473, 120-B, 148 and 149 of IPC were added later on) and Section 25 of Arms Act at P.S. Kalanaur, District Gurdaspur wherein, the petitioner was implicated on the basis of disclosure statements made by co-accused Gursewak Singh, Sherpreet Singh and Pargat Singh for having allegedly conspired for giving gun-shot injury to victim-Harpreet Singh.

2. The prayer made herein has been opposed at the instance of learned State counsel while submitting that the petitioner was hired by co-accused namely Gursewak Singh through another co-accused namely Pargat Singh for inflicting injuries upon the person of his father-in-law namely Harjeet Singh, however, Harpreet Singh, the brother of the father-in-law namely Harjeet Singh was injured.

3. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.
4. In the present case, the petitioner has been implicated on the basis of disclosure statements made by co-accused namely Gursewak Singh, Pargat Singh and Sherpreet Singh. It was Sherpreet Singh who fired a gunshot at Harjeet Singh. The investigation already stands concluded with the filing of challan followed by framing of charges and the trial is likely to take some time. Further, the accused namely Gursewak Singh and Pargat Singh have already been granted the concession of regular bail vide orders dated 05.01.2024 passed in CRM-M-63719-2023 and 30.01.2024 passed in CRM-M-3866-2024 respectively. Moreover, it was not the petitioner who inflicted any fire-arm injury upon the victim-Harjeet Singh. Considering the aforesaid facts and circumstances, this Court does not find justification to extend his incarceration any further.
5. In view of the above, without commenting anything on the merits, lest it may prejudice the case of either side, 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.

13.02.2024
Tejwinder

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No