

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

CRM-M-7237-2024
Decided on : 18.03.2024

Harpreet Singh @ Suraj Petitioner

Versus

State of Punjab Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ramnish Puri, Advocate
for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

Manjari Nehru Kaul, J.(Oral)

1. Instant petition has been filed by the petitioner seeking concession of regular bail in case FIR No.308 dated 28.11.2023 under Sections 307 and 336 IPC and Section 25 of Arms Act, 1959 registered at Police Station Jandiala District Amritsar.

2. Learned counsel for the petitioner *inter alia* contends that the petitioner is innocent and has been falsely implicated in the instant case; no injury has been attributed to the petitioner rather he along with the co-accused were standing on the terrace of their house when allegedly co-accused Kawaljit Singh @ Kassu, fired with his country made pistol, which in turn hit injured Deepak @ Danish. Learned counsel has submitted that the investigation in the case in hand is complete as challan stands presented and there is no

possibility of the trial concluding in the near future as charges are yet to be framed coupled with the fact that as many as 10 witnesses have been cited by the prosecution. It has also been submitted by the learned counsel that the petitioner has clean antecedents as he is not involved in any other criminal case.

3. Per contra, learned State counsel while opposing the prayer made by learned counsel for the petitioner, on instructions from ASI Gurnam Singh, has not disputed the factual aspect of the role attributed to the petitioner in the crime in question. Learned State counsel on further instructions has conceded that the petitioner has not been attributed any injury on the person of the injured, however, he submits that the petitioner was present along with the co-accused Kawaljit Singh @ Kassu and Sarabjit Singh @ Sagar when the latter fired towards injured Deepak. Learned State counsel has also not controverted that the petitioner has clean antecedents.

4. I have heard learned counsel for the parties and perused the material placed on record.

5. The petitioner has been in custody since 30.11.2023. The investigation in the case in hand is complete as challan stands presented. The possibility of the trial concluding in the near future looks remote as the charges are likely to be framed on the next date of hearing, which is 28.03.2024.

6. In the facts and circumstances as enumerated hereinabove coupled with the fact that the petitioner has clean antecedents, this

Court deems it fit to extend the concession of regular bail to the petitioner. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

7. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

18.03.2024
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(MANJARI NEHRU KAUL)
JUDGE

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