

2302024:PHHC:028758

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-9620-2024

Date of Decision: February 29, 2024

AJAYPAL SINGH ALIAS AJAY.....Petitioner

Versus

STATE OF PUNJAB.....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Vikas Arora, 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 307, 452, 34 & 120-B IPC and Section 25 of Arms Act at P.S. Kalanaur, District Gurdaspur wherein, the petitioner has been implicated on the basis of disclosure statement made by co-accused namely Gursewak Singh who was in turn implicated on the basis of disclosure statement made by Pargat Singh for allegedly having conspired of having caused gun-shot injury to the victim-complainant namely Harpreet Singh.
2. The prayer made herein has been opposed at the instance of learned State counsel while submitting that the petitioner was hired for causing fatal injury to the father-in-law of one of the co-accused namely Gurdev Singh. It has been pointed out that the petitioner visited the house of the father-in-law of said Gurdev Singh and was accompanying the other co-accused namely Sherpreet Singh and Geja at the time of incident.

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 at best was implicated on the basis of disclosure statement made by co-accused namely Gursewak Singh who has already been granted concession of regular bail by this Court vide order dated 05.01.2024 passed in CRM-M-63719-2023. Neither any fire-arm has been recovered from the petitioner nor there is any allegation against him of having inflicted any fire-arm injury upon the injured-Harpreet Singh. The investigation already stands concluded with the filing of challan followed by framing of charges and trial is likely to take some time, as such, 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.

29.02.2024
Tejwinder

(HARKESH MANUJA)
JUDGE

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

