

In the High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-9810-2024 (O&M)
Date of Decision:-29.2.2024

Sonu Goswami ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ajay Pal Singh Rehan, Advocate for the petitioner.

Mr. Vinay Kumar Malhotra, DAG, Punjab.

FIR No.	Dated	Police Station	Section/s
118	22.5.2023	Maqboolpura, Police Commissionerate Amritsar	307, 34 of Indian Penal Code and Section 25 of Arms Act, wherein offences under Sections 212 and 216 IPC were added subsequently.

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed on behalf of the petitioner seeking grant of regular bail in respect of aforementioned FIR.
2. The FIR was lodged at the instance of Ravneet Singh @ Sonu wherein it is alleged that on 21.5.2023, he along with his friends had gone to hotel Green Wood near Golden Gate, Amritsar to have dinner and that when they were

returning back, a white coloured car stopped near them in which there were 3-4 un-identified persons and out of them two who were carrying pistols alighted from the said car and fired at them with an intention to kill them. The complainant and his friends however, fled away from the spot so as to save themselves. The complainant's friends namely Pradeep Singh and Satnam Singh who were carrying their licenced weapons also fired 5-6 shots in the air to scare away the assailants.

3. Learned counsel for the petitioner submitted that he is nowhere named in the FIR and came to be nominated on the basis of disclosure statements made by some other co-accused who themselves are also not named in the FIR. It has been submitted that such like disclosure statements, in the absence of any other connecting evidence would not carry any evidentiary value. It has been submitted that the petitioner has been behind bars since the last about 7 months and 21 days.
4. Opposing the petition, learned State counsel submitted that during the course of investigation it had surfaced that the petitioner had joined hands with accused inasmuch as he had provided accommodation to the remaining accused, who had fired at the complainant and that, in these circumstances, it is apparent that the petitioner had facilitated the commission of crime. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last about 7 months and 21 days and that the petitioner otherwise is not involved in any other case. It has also been informed that charges are yet to be framed and as many as 22 PWs have been cited.
5. This Court has considered rival submissions addressed before this Court.

6. Without commenting anything as regards the veracity of the allegations, but while duly noticing that it is a case where the petitioner has been nominated on the basis of disclosure statements, the veracity and admissibility of which would be debatable and also the fact that conclusion of trial is likely to consume time inasmuch as even charges are yet to be framed so far and as many as 22 PWs have been cited, further detention of the petitioner, who has been behind bars since for a substantial period of about 7 months and 21 days, will not serve any useful purpose. The instant petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

29.2.2024
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(Gurvinder Singh Gill)
Judge

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