

**CRM-M-14893-2024****IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

(215)

CRM-M-14893-2024
Date of Decision: 30.07.2024

Daman Moong alias Himanshu

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Prashant Vashisth, Advocate, for the petitioner.

Mr. Athar Ahmad, DAG, Punjab.

HARKESH MANUJA, J.(ORAL)

1. By way of present second petition filed under Section 439 Cr.PC, prayer has been made for grant of regular bail in case FIR No.58 dated 21.06.2023, registered under Sections 307, 326, 148, 149 and 506 of IPC read with Section 25/54/59 of the Arms Act at Police Station Division No.4, District Ludhiana-Police District Commissionarate, wherein the petitioner was implicated along with others for having barged into the shop of Raj followed by attacked on Munish @ Monu with *Kripan* with an intention to kill him and lateron one of the accused namely Vinay Bhandari fired shot at Munish @ Manu with a pistol which hit him in his stomach.

2. On the other hand, the prayer made herein has been opposed at the instance of learned State counsel while referring to the antecedent of the petitioner who is stated to be involved in one more case under the provisions of Arms Act, 1959 and was specifically named by the complainant in his supplementary statement in the present FIR.

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

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petitioner.

4. In the present case, petitioner was not named in the FIR but lateron he was nominated by the complainant/injured in his subsequent statement. The investigation in the present case already stands concluded with the filing of *challan* followed by framing of charges. However, none of the prosecution witness, out of 24 as cited, has been examined and thus, the trial is definitely going to take some time.

As regards the involvement of the petitioner in other case, he has already been granted the concession of regular bail.

5. Considering the aforesaid facts, this Court does not find justification to extend the incarceration of the petitioner any further.

6. In view of the above, but without commenting upon merits of the present petition, the same is allowed. The petitioner is ordered to be released on bail subject to his furnishing adequate bail bonds / surety bonds to the satisfaction of the Trial Court/Illaqa Magistrate/Duty Magistrate concerned.

7. It is made clear that this order may not be construed as an expression of opinion on the merits of the case.

(HARKESH MANUJA)
JUDGE

30.07.2024
anil

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