

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-18236-2024
Date of decision : 22.04.2024

Amar Kumar Petitioner

versus

State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Satnam Singh Thakur, Advocate,
Mr. Nitin Mittoo, Advocate and
Mr. Rishav Kamboj, Advocate
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

PANKAJ JAIN, J. (Oral)

1. This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.299 dated 08.11.2022 registered for the offences punishable under Sections 307, 148, 149 and 201 of IPC, 1860 and Sections 25/27/54/59 of the Arms Act, 1959 at Police Station Cantonment, District Amritsar.
2. Custody Certificate of the petitioner has been filed today in Court. The same is taken on record.
3. As per the contents of the FIR it has been alleged as under :-

“Statement of Navjot Singh Nav s/o Jatinder Singh r/o Near Dispensary, Village Guntala, Police Station Cantonment, Amritsar aged around 18 years, Mob No. 75290-98165, It is stated that I am resident of above mentioned address and I work as clerk to Advocate Monu Arora at District Court,

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Amritsar. Today on 8.11.2022 at around 1:00 PM I had a minor altercation with Ranjit Singh s/o Seva Singh r/o village Guntala, his brother-in-law Gurjit Singh and Sourav resident of Village Guntala and Ranjit Singh r/o Loharka Road Road. After the altercation at around 5.15 PM the above mentioned accused i.e. Ranjit Singh armed with pistol, Gurjit Singh armed with datar, Sourav armed with datar, Ranjit Singh r/o Loharka Road armed with datar, Sashi sister of Ranjit Singh s/o Seva Singh, Ranjit Singh's wife Manpreet Kaur armed with brickbat. Ranjit Singh s/o Seva Singh raised a lalkara that catch him and teach him a lesson for daily stopping the car in between the road and Ranjit Singh s/o Seva Singh fired towards me with the intention of killing me. At the time of entire incident I was standing outside the house of my chacha Amritpal Singh and he fired 5-6 time toward me. I got scared and ran inside my chacha's house. The above mentioned persons started hitting the gate of the house of my chacha with datar. Ranjit Singh's sister and his wife threw brickbats. By hiding myself I saved my life. Alongwith them there were 3-4 other unidentified persons but I do not know their names but I can recognize them. Action be taken against them. Statement is read and the same is correct. Sd/- Navjot Singh.”

4. Counsel for the petitioner submits that the petitioner was in fact armed with *dang* and not pistol. It has been further contended that it is a case wherein none suffered any injury in account of firearm. Petitioner is in custody since 17.08.2023. Investigation already stands concluded and challan stands presented. Charges are yet to be framed

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and thus trial is going to take long and the custody of the petitioner cannot be prolonged as punitive measure.

5. State Counsel does not dispute the aforesaid factual assertions made by counsel for the petitioner which are based on record.

6. I have heard counsel for the petitioner and have carefully gone through records of the case.

7. In view of above, without commenting on the merits of the case, keeping in view the incarceration already suffered by the petitioner and the fact that the investigation already stands concluded and Challan stands presented, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

8. Needless to say that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

22.04.2024
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No