



**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-24936-2024

Date of Decision:-22.05.2024

Lovepreet Singh.

.....Petitioner.

Vs.

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. J.S. Thakur, Advocate for the Petitioner.

Mr. Harkanwar Jeet Singh, Assistant Advocate General, Punjab.

Mr. L.M. Gulati, Advocate for the Complainant.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition under Section 439 Cr.PC is for the grant of regular bail in case FIR No.0147 dated 20.07.2023 under Sections 307, 506, 148, 149 IPC and Sections 25, 27 of Arms Act and Sections 353, 186, 34 IPC registered at Police Station Gate Hakima, District Amritsar.

2. The present FIR came to be registered at the instance of Harmanjot Singh which reads as under:-

“ Statement of Harmanjot Singh son of Narinder Pal Singh, resident of House No.4833, Gali No.3, near Petrol Pump, Gali Damganj, Amritsar, aged 30 years, Mobile No. 9878700547. Stated that I am resident of above mentioned address and I worked with Anil Arora Enterprises, which is established in 2023 in Amritsar and who works as liquor dealer and I keep taking legal action against the seller of illicit liquor within the limits of Police Station Gate Hakima. Today in the intervening night 19/20.7.2023 I of was sleeping with my family and my father Narender Pal Singh when at around 11.30, the door of our house knocked, so I came alongwith my father to see who had



come at this time. When my father Narinder Pal Singh opened the door, Sagar son of Kewal Singh, resident of Ballewala Khoo, Islamabad, armed with pistol, Danish resident of opposite Street Gurudwara Putli Ghar, Amritsar, Khanjar, resident Kamal of Noore Shah Colony, near Railway Fatak, Amritsar were standing armed pistol. Then from street at with the back side, Rocky Mota resident of Signal Down wali street, near Bhagat Kareem Mandir, Mohalla Ghumiara, Amritsar armed with datar, Lucky resident of Street Opposite Gurudwara Pipli Sahib, Putli Ghar Amritsar, armed with kirpan, alongwith 21-3 unknown persons were standing, who were also armed with deadly weapons seen standing. Then Rocky mota gave a lalkara that let us catch Harman and teach him a lesson of getting our illicit liquor seized. Then Sagar with an intention to kill starting firing on me and my father with an intention to kill. One bullet landed in the stomach of my father and blood started oozing out and he fell on the ground. I ran into the room and saved myself. All the accused alongwith the deadly weapons, while threatening ran away from the spot, with their respective weapons. After arranging for the vehicle, I shifted my father to Amandeep Hospital, where he is under treatment. The cause of enmity is that they all do the work of illicit liquor and I am working with liquor contractors, due to which they keep an enmity with me. Because I do not let them sell liquor. Due to this reason, with an intention to kill, they fired at me and they have injured my father Narinder Pal Singh. Kindly take legal action. Statement has been given, read over, it is correct."

3. The learned Counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. In fact he was not named in the FIR but came to be nominated as an accused in the supplementary statement of the complainant recorded on 28.07.2023 i.e. after about 08 days of the occurrence. Even as per the alleged supplementary statement, the petitioner is stated to have been present at the spot but no role has been attributed to him. The petitioner was in custody since 10.12.2023 but none of the 13 Pws had been examined so far. Therefore, the Trial of the present was not likely to be concluded anytime soon and therefore he was entitled to the concession of bail, moreso as some



of the co-accused had been granted bail.

4. The learned State counsel on the other hand contends that the petitioner was present at the spot when the occurrence took place. The nature of the allegations levelled against the accused including the petitioner did not entitle him to the concession of bail. He however, concedes that the petitioner was in custody since 10.12.2023, that none of 13 Pws had been examined so far and tht some of the co-accused had been granted bail.

5. I have heard the learned counsel for the parties.

6. The veracity of the prosecution case against the petitioner and his co-accused shall be adjudicated upon during the course of the Trial. Admittedly, the petitioner is in custody since 10.12.2023 but none of the 13 Pws had been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation the further incarceration of the petitioner is not required.

9. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-**Lovpreet Singh** son of Sh. Surinder Singh is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

10. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

May 22, 2024
Vinay

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