



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

234

CRM-M-26102-2024
Date of decision : 28.05.2024

Mandeep Singh Petitioner

versus

State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Munish Puri, Advocate
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

PANKAJ JAIN, J. (Oral)

1. Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.38 dated 30.03.2024, registered for the offences punishable under Sections 307, 148, 149, 506 and 120-B of IPC and Section 25 of Arms Act (Sections 201, 216 and 212 of IPC added later on), at Police Station Sadar, District Pathankot.
2. As per the contents thereof, it has been alleged as under:-

“Statement of Rahul Kumar Shalu son of Sh. Thakur Dass resident of Kache Quarter, P.S. Division No. 2 Pathankot, District Pathankot aged 33 years Mobile No. 7837995005, Aadhaar No. 7977602804664. Stated that I am the resident of aforementioned address and I am running a shop at Common Service Centre, Mohalla Kache Quarter, Pathankot. That today dated 30/03/2024, 1 along with my associates Vikrant Singh @ Vicky son of Bachan Lal resident of Kache Quarter, Rahul Kumar son of Sewa Ram resident of Kache Quarter, Kashmir Singh @ Billi resident of Partap Nagar

2024:PHHC:075987



went to Session Court Pathankot to attend the date of the case against me under Section 307 IPC. After attending the date, we along with our rest of the friends were having tea at Bashi Shop Sarna. I, Vikrant Singh, Lakhwinder Singh @ Lucky son of Rattan Singh resident of New Thariyal, Jaswinder Singh @ Sethi son of Jeet Singh resident of New Thariyal, P.S. Shahpurkandi were sitting on one table and near us on separate table Rakesh Kumar son of Hans Raj resident of Jaswal and Kumar son of Surinder Kumar resident of Lahri Baweya were eating separately. It was about 12 in the afternoon, in the meanwhile Vishal Chaudhary @ Ishu resident of Uchi Pulli, Nathu Nagar, P.S. Division No. 2, Pathankot with pistol wielded in his hands, Gulshan resident of Kache Quarter, P.S. Division No. 2 with pistol wielded in his hands, Gopi resident of Daulatpur with pistol wielded in his hands, Prince @ Dodi resident of Uchi Pulli, Nathu Nagar with pistol wielded in his hands, Abhishek Bawa resident of Bawa Mohalla, Pathankot, pistol wielded in his hands, Chandan son of Bau Ram resident of Kache Quarter Pathankot with datar wielded in his hands, Rinku resident of Uchi Pulli, Nathu Nagar, Pathankot with datar wielded in his hands, Rishu Chaudhary @ Bamb son of Ashok resident of Uchi Pulli, Pathankot with iron rod wielded in his hands, Varun @ Vannu resident of Mukerian with datar wielded in his hands, Anshu Choudhary resident of Uchi Pulli, Pathankot with date and along with them 9-10 unidentified persons came there. All of them are the members of Londi resident of Daulatpur Gang and upon coming, Gopi resident of Daulatpur gave a lalkaara and said, "Let them teach a lesson for disturbing us." And in the meantime Gopi resident of Daulatpur gave a fire of the pistol wielded in

2024:PHHC:075987



his hands upon Vikrant Singh with the intention to kill which struck on his right shoulder. After that Vishal Chaudhary attacked with his pistol upon Lakhwinder Singh @ Lucky which struck on his right side of waist. Then Gulshan gave a fire of pistol wielded in his hands upon me which struck on the stomach below the right side of waist of Ajay Kumar son of Surinder Kumar resident of Lahri Baweya who was sitting near me. Prince @ Dodi gave a blow of pistol wielded in his hands upon Vikrant which struck near the knee of his left leg. Then Abhishek Rana gave a fire of pistol wielded in his hands upon me with the intention to kill, all of a sudden, I went behind the coal constructed inside the shop and the bullet across over me. Then Vishal and Gulshan gave a fire of pistol wielded in his hands upon us with the intention to kill, which crossed near us and then Rinku gave a blow of datar wielded in his hands upon Jaswinder Singh which struck on the right side of his forehead. Then Chandan gave a reverse blow of datar wielded in his hands upon Jaswinder Singh which struck on the thumb of his left hand. Then Rishu Chaudhary gave a blow of his iron rod upon Rakesh which struck on his left wrist and all the assailants ran away alongwith their respective weapons on their motorcycles and cars, while threatening us of dire consequences. We all are the eye-witness of the whole incident. The reason for the fight is that Londi R/o Daulatpur has formed a gang and all of above assailants are members of his gang. Few days earlier they had a fight with us. In order to take revenge Londhi R/o Daulatpur after hatching a conspiracy with his associates and with the intention to kill us have attacked upon us. Rahul s/o Sewa Ram after arranging the vehicle got admitted Vikrant Singh and Lakhwinder Singh in Amandeep Hospital, Pathankot in

2024:PHHC:075987



injured condition. After arranging the vehicle, Rakesh Kumar and Ajay Kumar injured were got admitted in Randhawa hospital, Pathankot, where they are under treatment. I along with my friend Ashmeet Billi R/o Partap Nagar Pathankot were going to police station for giving information and you have met us. Legal action be taken.xxxx”

- 3. Petitioner is stated to have been armed with datar and the injury has been caused with the firearm. Further reliance is being placed upon order dated 08.05.2024 passed in CRM-M No.21851 of 2024, whereby co-accused Vinod Kumar stands admitted to bail.
- 4. Petitioner is behind bars since 08.05.2024. There being no allegation against him having caused any injury.
- 5. Granting parity, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.
- 6. Needless to say nothing recorded herein shall be construed to be an expression of an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

28.05.2024
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No