

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

(I) CRM-M-40203-2023 (O&M)  
Date of Decision:- 07.02.2024

Ajit Kumar @ Chaura ... Petitioner

Versus

State of Punjab ... Respondent

(II) CRM-M-41467-2023 (O&M)

Suraj @ Happy ... Petitioner

Versus

State of Punjab ... Respondent

(III) CRM-M-42630-2023 (O&M)

Satinderpal Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Ramandeep Kaur, Advocate, for the petitioner  
in CRM-M-40203-2023.

Mr. P.B.S.Goraya, Advocate, for the petitioner  
in CRM-M-41467-2023.

Mr. Gursimran Singh Bawa, Advocate, for the petitioner  
in CRM-M-42630-2023.

Mr. Ravinder Singh, AAG, Punjab.

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| FIR NO. | DATE       | POLICE STATION                 | OFFENCES                                                                |
|---------|------------|--------------------------------|-------------------------------------------------------------------------|
| 118     | 22.05.2023 | Maqboolpura, District Amritsar | 307, 34 IPC and Section 25 of Arms Act (Section 336 IPC added later on) |

**GURVINDER SINGH GILL, J.** (Oral)

1. This order shall dispose of the above mentioned three petitions wherein petitioners Ajit Kumar @ Chaura, Suraj @ Happy and Satinderpal Singh, seek 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 petitioners submitted that they are 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 petitioners have been behind bars since the last more than 6-8 months.
4. Opposing the petition, learned State counsel submits that since the weapons used in the occurrence were recovered from co-accused (non-applicants) and who have specifically named the petitioners, the complicity of the petitioners is clearly evident. It has further been informed that while petitioner-Suraj @ Happy is not involved in any other case, petitioner-Ajit Kumar is involved in two other cases registered under NDPS Act and petitioner Satinderpal Singh is involved in two cases registered under Section 379-B IPC and another registered under the Arms Act. Learned State counsel has also informed that while challan stands presented but charges are yet to be framed and as many as 22 PWs have been cited.
5. This Court has considered the rival submissions.
6. Without commenting anything as regards the veracity of the allegations, but while duly noticing that it is a case where the petitioners have been nominated on the basis of disclosure statements, the veracity and admissibility of which would be debatable. The petitioners have been behind bars for a substantial

period of 6-8 months. Conclusion of trial is likely to consume time inasmuch as even charges are yet to be framed so far and 22 PWs have been cited. Under these circumstances, further detention of the petitioners will not serve any useful purpose. The petitions, as such, are accepted and the petitioners are ordered to be released on bail subject to their furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

7.
- A photocopy of this order be placed on the file of each connected case.

07.02.2024

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( GURVINDER SINGH GILL)

JUDGE

|                            |          |
|----------------------------|----------|
| Whether speaking /reasoned | Yes / No |
| Whether Reportable         | Yes / No |