

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.46694 of 2024
Reserved on: 06.11.2024
Pronounced on: 20.11.2024

Ravail Singh @ Ravel Singh @ Ravela ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Gurmeet Singh Saini, Advocate
for the petitioner.

Mr. Sukhdev Singh, A.A.G., Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
71	16.04.2024	City Kotkapura, District Faridkot	307, 341, 506, 148, 149 IPC, 1860 and sections 25, 27 of Arms Act, 1959

1. The petitioner incarcerated in the FIR captioned above had come up before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking regular bail.
2. Per paragraph 11 of the bail application, the petitioner declares that he is named in 04 more criminal cases but he has not mentioned details, however, as per para 9 of the status report, the accused has following criminal antecedents:

Sr. No.	FIR No.	Date	Offenses	Police Station
1.	315	21.11.2019	Under sections 42, 52 of Jail Manual Act and Public Property Prevention of Damage Act	City, District Faridkot
2.	81	18.05.2019	Under sections 25, 54, 59 of Arms Act	City Kotkapura, Distt Faridkot
3.	119	13.05.2008	Under sections 323, 341, 506, 148, 149 IPC	Sadar Kotkapura, District Faridkot
4.	42	08.04.2017	Under sections 25, 54, 59 of Arms Act	Sadar Kotkapura, District Faridkot
5.	135	22.06.2021	Under sections 302, 307,	City Kotkapura,

			34, 201, 511 IPC and 25, 27, 54, 59 of Arms Act	Distt Faridkot
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3. The facts and allegations are being taken from the reply filed by the State, which reads as follows:

“Statement of Shawanpal Singh son of Charanjit Singh son of Shingara Singh resident of Kashmiriyan Wala Mohalla Near Sarsa Dera, Kotkapura aged about 23 years Mob no. 81949- 91965, stated that I am resident of above said address and doing house work. On dated 15.04.2024 at about 08:00 PM I was coming back after having bow at Baba Shiv Mandir of Baba Kabal shah when I was going in between the Chaki of the Akalian and Kiryana shop of the Sachdeva in the street then my friend Mani Singh son of Shinder Singh met me on the way. We started talking when I about to left from the place then Rahul Langa came out from the house of Happy Lungi in the street of Happy Mehra and from the Endeavour car colour white parked in front of shop of Sachdeva Ram Vehniwal resident of Wara Draka, Ravel Singh @ Ravela son of Balkar Singh resident of Vada Draka, Akshay Kumar @ Sunny son of Manjitpal resident of Kotkapura armed with baseball; Bhatti Wasi Dhakka Basti Kotkapura armed with Dasta and 3-4 unknown persons resident of Dhakka Basti they are also armed with baseball has come out from the car and come to my side then Rahul Langa has shouted Lalkara and said that today you will not be spared. We let you know to help Money Singh son of Shinder Singh resident of Kotkapura, All of them has encircled me. Then Akshay Kumar has given hit of his baseball on me that hit my back then Bhatti resident of Kotkapura has hit his armed Dasta to me that hit my back. I fell down then all of them has beaten me while I was lying on ground and has given blow in my stomach. When I ran away after leaving them, then Ravel Singh Ravel and Rara Vehniwal has taken out armed pistol from their Dabs and fired on me with an intention to kill me. Then one fire hit me while running on right side of my back and I fell down and they have fired 3-4 more, then after hearing the fire sown the people of the Mohalla has gathered. After seeing the gathering of the people all of them has fled away from the spot with their weapons on Endeavour vehicle. In the meantime my parents has come on the spot and my father Charanjit Singh after arranging vehicle has got admitted in Civil Hospital, Kotkapura. Where I was refer to Guru Gobind Singh Hospital, Faridkot where I am under treatment the bone of contention is that 4/5 days earlier all of these are having fight with my friend Mony Singh son of Shinder Singh resident of Kotkapura who was working with Vicky Bollywood Photographer Kotkapura. I have helped him. Having this bone of contention all of these in connivance with each other has attacked me and has fired with an intention to kill me. Strict Legal action may be taken against them. Statement has got recorded to you and it is heard and it is correct. Sd/- Shawanpal Singh.”

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.

5. The State’s counsel opposes bail and refers to the reply.

6. It would be appropriate to refer to the following portions of the reply, which read as follows:

“(A) Role of Petitioner:-

Petitioner was armed pistol and he fired on the complainant with an intention to kill him.

B. The evidence against the petitioner:

(i) Statement of complainant.

(ii) During investigation petitioner disclosed that on 15.04.2024 petitioner alongwith his friends Sunny, Ram Vehniwal, Saify Faridkot, Rahul Langa, Akshay Kumar @ Sunny and Bhatti went to Kotkapura from Faridkot in a Ford Endeavour car, where they had a fight with Shavanpal (Complainant). During fight Akshay Kumar @ Sunny and Ram Vehniwal fired shots, one of the shots hits Shavanpal Singh and they all ran away on the car.

C. Petitioner's custody certificate in this FIR.

Custody Certificate of the petitioner is attached herewith as Annexure R-1. Petitioner is in custody since 01.05.2024."

7. The petitioner's and his accomplice's intention to kill is inferable from firing shots that hit the victim's back. The petitioner's accomplices fired multiple shots, which indicated their intention to murder the deceased. There is prima facie evidence of the petitioner sharing the common intention with the co-accused.

8. A perusal of the bail petition and the documents attached prima facie points towards the petitioner's involvement and does not make out a case for bail. The impact of crime would not justify bail. Any further discussions will likely prejudice the petitioner; this court refrains from doing so.

9. Regarding the delay in the trial, the petitioner's custody of 6 months cannot be considered prolonged.

10. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

11. **Petition dismissed.** All pending applications, if any, are disposed of.

(ANOOP CHITKARA)
JUDGE

20.11.2024
Sonia Puri

Whether speaking/reasoned: Yes
Whether reportable: No.