



CRM-M-47362-2024

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

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CRM-M-47362-2024

Date of decision: 1st October, 2024

Satnam Singh @ Laddu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Rajat Dogra, Advocate for the petitioner.

Mr. Amandeep Singh, DAG, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing Rapat No. 37 dated 19.06.2024 registered under Sections 307, 323, 148, 149 of IPC, 1860 and Sections 25 and 27 of Arms Act, 1959 at Police Station Arniwala, District Fazilka as cross version of case bearing FIR No. 66 dated 18.06.024 registered under Sections 307, 323, 324, 336, 160, 148 and 149 of IPC and Sections 25 and 27 of Arms Act, 1959 at Police Station Arniwala, District Fazilka.

2. As per the prosecution case, as on 19.06.2024, on receipt of information regarding admission of injured complainant Sajanpreet Singh in Guru Gobind Singh Medical College, Faridkot, a police party reached there.

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After obtaining medico legal report of the injured and seeking opinion of doctor as to the condition of the injured, recorded statement of the complainant, who stated that he was working as a conductor at Jashan Bus Service, Chakk Dabwala. On 18.06.2024, while he was performing his duty, he received a call from Shinderpal, owner of Jashan Bus Service who told him to immediately reach at bus stand, Fazilka. On his way to bus stand, Fazilka, the complainant was intercepted by the petitioner and co-accused Shayin, Amandeep Singh, Rahul Bhalla, Kirshan Singh, Raju Katta, Gurpreet Singh son of Gurmeet Singh, Gurpreet Singh son of Joginder Singh, Sukhi, Gindu, Vijay and 10-15 unknown persons, who were standing at the bridge. Accused Gurpreet Singh son of Gurmeet Singh slapped him and then one of the persons, who was not known to him, fired shot with a pistol which he was carrying in his hand, on the back of the complainant with an intent to kill him. The complainant somehow managed to move aside, yet the bullet crossed through his thigh due to which he fell down. He raised alarm, upon hearing which the passers by were attracted and then all the assailants fled from the spot. On his statement, a GDR No. 37 was registered on 19.06.2024. On the basis of statement recorded by the members of the accused party, a case bearing FIR No. 66 dated 18.06.2024, had already been registered against the complainant and other members of his party. The present petitioner was arrested on 22.06.2024. Investigation qua him has been completed. He had moved an application for grant of regular bail which was dismissed by the Court of learned Additional Sessions Judge, Fazilka vide order dated 28.08.2024.



3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. Infact, it is a case of version and cross-version. The injuries on the person of the complainant-Sajanpreet Singh have not been attributed to him. Moreso, no injury on vital part of the body of the complainant had been received. A cross case has already been registered against the complainant and other members of his party. A compromise (Annexure P-3) has already been arrived at between the parties. Investigation and trial are likely to take time. His further detention would not serve any useful purpose. Therefore, it is urged that the petition deserves to be allowed.

4. Learned State counsel, on the other hand, has submitted that the petitioner is a habitual offender as he is involved in other criminal cases. It is further argued by learned State counsel that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be extended benefit of bail.

5. I have heard learned counsel for the petitioner as well as learned State counsel at considerable length and have gone through the record carefully.

6. The petitioner along with the co-accused is alleged to have formed membership of an unlawful assembly and in prosecution of common object of that unlawful assembly, is alleged to have opened fire with a firearm upon the complainant Sajanpreet Singh. The injury which had been sustained by the complainant has, however, not been attributed to the petitioner but the same has been attributed to the co-accused Gurpreet Singh

son of Gurmeet Singh. The petitioner is in custody since 22.06.2024. His custodial interrogation is not required. Investigation and trial are likely to take time. Though no relevance can be given to the compromise (Annexure P-3) stated to have been arrived at between the parties, at this stage, however, keeping in view the period of incarceration of the petitioner, the part attributed to him and the attendant facts and circumstances of the case but without meaning to make any comment on the merits thereof, I am of the considered opinion that the petition deserves to be allowed. Hence, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

1st October, 2024
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |