

**S. No.210**

**2024:PHHC:016870**

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

**\*\*\*\***

**CRM-M-56456 of 2023**

**Date of Decision:07.02.2024**

**Aman Kumar @ Ammu**

**.....Petitioner**

**Vs.**

**State of Punjab**

**.....Respondent**

**CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA**

Present:- Mr. P.K.S. Phoolka, Advocate for the petitioner.

Mr. Anmol Singh Sandhu, AAG, Punjab.

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**DEEPAK GUPTA, J. (Oral)**

Custody certificate has been placed on record by learned State Counsel.

By way of present petition filed under Section 439 Cr.P.C., petitioner prays for grant of regular bail in case FIR No.0052 dated 08.12.2022 registered under Section 307, 34 IPC and Sections 25, 27 (Act No.54 of 1959) of Arms Act, at Police Station GRP Bathinda, District Government Railway Police.

As per the allegations, FIR is lodged on the statement of Harmander Singh @ Mundri, as per which he along with his friend Amit was present near Railway Yard, Bathinda on 08.12.2022, when they were waylaid by Lucky Khokhar and his two companions, who started giving beatings to Amit Kumar. As they tried to save themselves from Lucky Khokhar and his companions, they pulled out the revolver. It is alleged that Lukcy Khokhar fired 4-5 shots from his revolver towards Harmander Singh and Amit. One of the fire hit left foot of Harmander Singh and another bullet hit the thigh of his friend i.e. Amit.

Learned counsel contends that the entire attribution regarding firing from the revolver is to co-accused Lucky Khokhar; that no specific injury is

attributed to the petitioner. Still further, it is contended that both the material witnesses, i.e. Harmander Singh as well as Amit Kumar have already been examined and that the petitioner is in custody for the last 01 year 01 month and 23 days and that the trial may take time to conclude, so, he be allowed bail.

Although status report has not been filed by the State till date, but learned State Counsel does not refute the afore-said contentions to the effect that bullet injury by revolver is attributed to co-accused Lucky Khokhar. Custody certificate also reveals that the petitioner is in custody for the last 01 year 01 month and 23 days and it is also conceded by learned State Counsel that four prosecution witnesses have already been examined including the complainant Harmander Singh and other injured Amit.

Having regard to all the afore-said facts and circumstances, particularly custody period of the petitioner but without commenting anything on the merits of the case, present petition is allowed. Petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate concerned, on usual terms and conditions.

February 07, 2024  
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( DEEPAK GUPTA )  
JUDGE

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