

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

CRM-M-60873-2024 (O&M)
Date of Decision:- 10.12.2024

Dilbagh Singh @ Baghi... Petitioner

Versus

State of Punjab... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. B.D. Sharma, Advocate for the petitioner.
Mr. Prabhdeep Singh Dhaliwal, AAG, Punjab.

FIR No.	Dated	Police Station	Section/s
177	25.10.2022	Kamboj, District Amritsar Rural	302, 307, 379-B(2), 148, 149, 201 of IPC and Section 25 of Arms Act, 1959, wherein offences under Sections 302, 201 of IPC were added later on

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of the aforementioned FIR.
2. The FIR was lodged at the instance of Amritpal Singh wherein it is broadly alleged that on 24.10.2022 Karanjot Singh, Maninderpal Singh, Dilbagh Singh @ Baghi had attacked him. It is alleged that Karanjot Singh was armed with ‘*datar*’, Maninderpal Singh armed with ‘*baseball bat*’ and Baghi (petitioner), was carrying the pistol and that the petitioner had fired from his pistol hitting the complainant as well as Gagandeep Singh. It is further the case of prosecution that while Amritpal succumbed to the injuries on account of the gun shot, the other injured namely Gagandeep Sing survived.



CRM-M-60873-2024 (O&M) (2)

- 3. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case and that the falsity would be evident from the fact that when the allegedly injured witness Gagandeep Singh was examined during the proceedings of trial, he did not identify the petitioner to be the assailant. It has been submitted that the petitioner has been behind bars since 12.4.2023 and since only 5 PWs out of cited 30 PWs have been examined till date, further detention of the petitioner would not be justified.
- 4. Opposing the petition, learned State counsel submitted that since specific and categoric allegations have been levelled against the petitioner to the effect that he had fired from his pistol, no case for grant of bail is made out.
- 5. This Court has considered rival submissions addressed before this Court.
- 6. Having regard to the fact that the star witness of the prosecution case i.e. the injured witness Gagandeep Singh has not supported the case of prosecution at all and while also noticing the long custody of the petitioner, further detention of the petitioner would not be justified.
- 7. The instant petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

10.12.2024
Geeta/P

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No