



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

249

CRM-M-6912-2024 (O&M)
Date of Decision:- 15.01.2025

LOVEPREET SINGH @ LUV SINGH

....Petitioner(s)

Versus

STATE OF PUNJAB AND ANOTHER

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Karanjit Singh, Advocate for the petitioner.
Mr. Rajinder Singh Bhatta, DAG Punjab.
Mr. Ashutosh Sharma, Advocate for the complainant.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 439 CrPC for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
26	18.02.2020	307, 427, 34 IPC; 25 and 27 of the Arms Act	Lopoke, District Amritsar Rural

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He has placed on record the statement of PW1-Rajbir @ Raja Singh/complainant recorded before the learned Additional Sessions Judge, Amritsar on 07.11.2024 to submit that the victim has not supported the case



of prosecution against the present petitioner. He submits that the petitioner has been falsely implicated in this case and is in custody since 14.11.2023. He further submits that the conclusion of trial will take sufficient long time, and the complainant has not lent any support to the case of the prosecution and has turned hostile. Hence, prayed for grant of bail to the petitioner.

3. *Per contra*, learned State counsel assisted by learned counsel for the complainant, while referring to the short reply filed by the State has opposed the bail petition on the ground of gravity and nature of the offence. He has not disputed the fact that in the aforesaid statement dated 07.11.2024, the complainant/injured, who is the sole victim in the case, has turned hostile and has not supported the case of prosecution against the petitioner.

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it transpires that the FIR was registered on the complaint made by Rajbir @ Raja Singh that on 07.02.2020, he along with Aju Singh and Ravi had gone to Village Jajje for playing DJ in a marriage function. As per the allegations levelled in the FIR, there had been a scuffle between the parties and the petitioner had allegedly fired shot from his rifle towards the complainant which hit the complainant on his hip. The petitioner was arrested on 14.11.2023 and after the completion of investigation, challan has already been presented in Court. During the course of trial, the statement of complainant/injured was recorded by learned trial Court, wherein he has turned hostile and has given clean chit to the present petitioner. Admittedly, the complainant/injured happens to be the sole victim in the case and there is



no other injury caused to anyone. The criminal liability, if any, of the petitioner, could only be determined after the conclusion of trial, which may take sufficient long time and considering the fact that material witness has not lent any support to the case of prosecution against the petitioner, no purpose would be served by detaining the petitioner any longer.

6. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

8. Pending miscellaneous application(s), if any, stands disposed of.

(SANJIV BERRY)
JUDGE

15.01.2025
S.Sharma(syr)

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |