

CRM-M-27803-2024

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-27803-2024
Reserved on: 07.07.2025
Pronounced on: 22.07.2025

Amarjeet Singh @ Sonu ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Arshdeep Singh Brar, Advocate
for the petitioner.

Mr. Akshay Kumar, AAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
254	22.12.2023	City South, District Moga	307/34 IPC and 25/27 of Arms Act

1. The petitioner incarcerated in the FIR captioned above came before this Court under Section 439 CrPC, seeking regular bail.
2. In paragraph 7 of the bail petition, the accused declares that he has no criminal antecedents.
3. The facts and allegations are being taken from the reply filed by the State, which reads as follows:

“That brief facts of the case are that the complainant recorded his statement with the police that he is having Swift Dezire car No. PB76B-2325 and he is using his said car as taxi as Noor Toor Travels, Near Goel Filling Station, Kotkapura Road, Moga and is earning livelihood for his family. About 5 days prior from the day when he got recorded his statement, two persons having age between 25 to 28 years visited his office and they informed the complainant that they are from village Singhanwala and have to hire the car for attending the barat from Singhanwala to a house situated near Canal within the area of Baghapurana. It was settled between the complainant and said boys that they will hire the car of complainant for Rs.3000/- and they have also paid Rs.500/- in advance. Out of said boys one got noted his Phone

CRM-M-27803-2024

no.97801xxxxx with the complainant. On 22.12.2023, at about 8 AM, the complainant contacted the boys on the said phone number. Then, said boys informed the complainant that they are also in Moga and asked the complainant to take them along with him at the time of going to Singhanwala. Then as per their request, complainant agreed for the same. Initially out of said two boys, one was sitting on co-driver seat and another was on rear seat of the car while complainant was driving his car. On the way, when they reached near Quality car wash at about 9.30 AM, as per request of said boys, the complainant stopped his car and then the person sitting on co-driver seat also shifted to rear seat. Then out of said boys, one fired a shot with his pistol towards complainant with intention to kill him, which hit on the ear of complainant. With intention to save himself complainant alighted from the car and started running. Then accused fired another shot with his pistol which hit on left side of neck of the complainant. In the meantime, people started gathering there. Then accused persons run away from the spot alongwith their weapons.”

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. Petitioner's counsel further submits that petitioner has been nominated on the disclosure statement of co-accused Baljit Singh and no recovery has been affected from the petitioner.

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:

“8. Role of the petitioner

On 22.12.2023 petitioner after getting pistol from Baljit Singh, fired two shots with intention to kill the complainant, out of which one hit near the ear and another hit on the left side of neck of complainant.”

REASONING:

7. An analysis of the above would lead to the following outcome:

8. Petitioner also seeks bail as co-accused Baljit Singh has been granted bail by the Sessions Court. However, perusal of the bail order clearly shows that no injury was attributed to him.

9. It was the petitioner who had fired two shots on the complainant, out of which one shot hit near the ear and other shot hit on the left side of neck and it was sheer luck of the complainant that he did not die. Thus, the petitioner is not entitled to bail. Regarding the fact of custody, it is observed that sentence provided under Section 307 IPC is life imprisonment and petitioner's custody of around 1 ½ year, cannot be considered

CRM-M-27803-2024

prolonged.

10. 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 also not justify bail. Any further discussions will likely prejudice the petitioner; this court refrains from doing so.

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

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

(ANOOP CHITKARA)
JUDGE

22.07.2025
anju rani

Whether speaking/reasoned: Yes
Whether reportable: No.