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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.41443 of 2024
Date of Decision: 11.08.2025
Reserved on: 28.07.2025

Parmod Kumar @ Ladi ... Petitioner

Versus
State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Keshvam Chaudhari, Advocate,
for the petitioner (Through V.C.)

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J.

1. The present petition has been filed by the petitioner seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
132	13.11.2023	Division D, District Police Commissionerate Amritsar	302, 307, 160, 323, 324, 148 and 149 of IPC and 25 and 27 of Arms Act, 1959 (212, 216, 120-B and 473 of IPC added later on)

2. As per the allegations, on the intervening night of 12/13.11.2023, an information was received by the police that an altercation was taking place between the members of two rival groups one consisting of the present petitioner and his companions and the other headed by Shamsher Singh Shera @ Garhgaj Singh and exchange/use of firearm had taken place. It was also informed that there was old rivalry

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between the members of these groups and they were disturbing peace. On reaching at the spot, it was revealed that one Arun Kumar the member of group of Shamsher Singh had died due to sustaining some firearm injuries and some other persons had been injured. The aforementioned FIR was registered. Postmortem examination of dead body of victim Arun Kumar was conducted. The injured Manpreet Singh and Ramandeep Singh were medically examined. The co-accused Sagar Hans was arrested on 16.11.2023. He suffered disclosure statement as per which the petitioner being armed with pistol had fired gun shots with his weapon thereby injuring one member of the group of Shamsher Singh who had died at the spot and injuries were sustained by others. The petitioner was arrested on 29.02.2024. He too was intgerrogated and suffered disclosure statements admitting his involvement in the crime and also stated that he had fired 6-7 gun shots from his pistol due to which the members of groups of Shamsher Singh had sustained bullet injuries and Arun Kumar had died. The co-accused were also arrested. Investigation now stands completed. A GD was registered against the members of group of co-accused Shamsher Singh and challan has been presented qua them also.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. No specific injury has been attributed to him. It was a case of sudden fight between two groups. Injuries had been sustained by both the sides. The investigation stands completed. Trial will take considerable time to conclude. His further incarceration would be of no use. He has been acquitted in four of the cases as registered against him.

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Though he has been convicted in some cases but his involvement in such cases cannot be considered to be a reason for denying benefit of bail to him. Some of the co-accused have been extended benefit of bail. On parity, he too deserves to be released on bail. It is, therefore, argued that the petition deserves to be allowed.

4. Status report has been filed. It is argued by learned Assistant Advocate General, Punjab that there are serious and specific allegations against the petitioner who by forming membership of an unlawful assembly with the co-accused and in prosecution of common object thereof, had fired several shots with gun upon the members of the group of Shamsheer Singh and had caused homicidal death of one Arun Kumar. He is a habitual offender. There are chances of his absconding or committing similar offences if extended benefit of bail. It is, therefore, argued that he does not deserve to be released on bail.

5. This Court has considered the rival submissions.

6. The petitioner being a member of an unlawful assembly is alleged to have opened fire upon the members of the rival group thereby causing gun shots injury to Arun Kumar who succumbed to the same and died. There are specific and serious allegations against the petitioner. His antecedents are not clean since as per the custody certificate, he is shown to be involved in several other cases of serious nature and even been convicted in some of such cases. Keeping in view the gravity of the allegations as levelled against the petitioner, his antecedents, the quantum of sentence which the conviction may entail and the attendant facts and circumstances

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but without meaning to make any comment on the merits of the case lest the same prejudice the trial, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

11.08.2025
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No