

2025:PHHC:005042



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

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CRM M-42783 of 2024

Date of Decision: 15.01.2025

Gagandeep Singh

...Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. H.S. Oberoi, Advocate, for the petitioner.

Mr. Deepinder Singh Brar, Sr. DAG, Punjab.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant a regular bail in case FIR No.0075 dated 20.07.2023 registered under Sections 307, 323, 341, 427, 506, 148 and 149 of IPC and Sections 25 and 27 at Police Station City Samana, District Patiala.

2. Learned counsel for the petitioner contends that from the MLR of all the injured in the present case, it is apparent that none of the injured/victim had suffered any firearm injury in the present case. Even otherwise, all the injuries suffered by the injured in the present case have been declared to be simple and the offence under Section 307 IPC has been wrongly added in the present case. Learned counsel further contends that a weapon of offence has been planted on the

petitioner and the said weapon was never sent to any ballistic expert for opinion with regard to its working condition. He further contends that co-accused Ashish Sharma and Gagandeep Singh @ Gagan were granted the concession of anticipatory bail whereas other co-accused Sharanjit Singh @ Sunny Thind has been granted the concession of regular bail and the petitioner is only the accused, who is in custody in the present case. The petitioner was arrested on 05th May 2024 and is in the custody for the last more than 08 months.

3. On the other hand, learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that there are serious allegations against the petitioner and the petitioner is not entitled for the concession of regular bail.

4. I have heard learned counsel for the parties and perused the record.

5. In the present case, the injured had admittedly suffered simple injuries and they had been discharged long ago. Moreover, the investigation has already been completed against the petitioner and trial is likely to conclude in near future. Moreover, the petitioner has already suffered incarceration for a period of 08 months and his further custody is not required.

6. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the

satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

15.01.2025

amit rana

(N.S.SHEKHAWAT)

JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No