

CRM-M-59032-2024

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2025.PHHC.019108



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

CRM-M-59032-2024

Date of Decision:10.02.2025

ABBU ALIAS SUFYAN ALIAS ABU SUFYAN ALIAS MOHAMMAD
ABU SUFYAN

....Petitioner

VERSUS

STATE OF PUNJAB

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Ramandeep, Advocate
Mr. Naresh Kumar Kalia, Advocate and
Mr. G.S.Jagpal, Advocate for the petitioner.

Mr. Jasjeet Singh Dhaliwal, AAG, Punjab.

KARAMJIT SINGH, J.

Prayer in the present petition under Section 483 of BNSS, 2023 is for grant of regular bail to the petitioner in case having FIR No.142 dated 17.07.2021 registered for the offences punishable under Sections 324, 341, 506, 307, 34 of IPC and Sections 25 of Arms Act, 1959 at Police Station Urban Estate, District Patiala.

2. The allegations in nutshell are that at the time of occurrence, the present petitioner was accompanied by Jaspreet Singh @ Maggu, Mani and Dalip Sharma and the present petitioner caused firearm injuries to Ravinder Singh @ Binda Gujjar. There is also cross-version recorded



on the basis of statement made by present petitioner to the effect that at the same time Ravinder Singh @ Binda Gujjar, Gurvinder Singh and Ranvir Singh attacked petitioner and his companions and Ravinder Singh @ Binda Gujjar caused firearm injuries to the present petitioner.

3. Counsel appearing on behalf of petitioner *inter alia* submits that petitioner is falsely implicated in the present case and at the relevant time he was less than 18 years of age. It is further submitted that actually the other party attacked the present petitioner and his companions and Ravinder Singh @ Binda Gujjar caused firearm injuries on both the legs of the petitioner and even now the petitioner is unable to walk without the help of support as is clear from OPD slip (Annexure P-2) issued by Government Rajindra Hospital, Patiala. It is further submitted that even otherwise the petitioner is in custody for the last about 4 months and police has presented the challan but till date trial has not commenced and the aggressor party will be ascertained only during the trial. That in the given circumstances, no fruitful purpose is going to be served by keeping the petitioner in custody for any longer period.

4. Learned State counsel on instructions from SI Charan Raj resisted the present petition and submits that at the time of occurrence, the present petitioner caused firearm injuries to Ravinder Singh @ Binda Gujjar. During investigation the petitioner was arrested and is in custody for the last about 4 months. After completion of investigation, police has presented the challan but the trial has not commenced till date. The State



counsel has not disputed the fact that the present case involves version as well as cross-version and even the present petitioner suffered firearm injuries at the hands of Ravinder Singh @ Binda Gujjar.

5. I have considered the submissions made by the counsel for the parties.

6. In the given circumstances, undisputedly the petitioner also sustained firearm injuries and is presently lodged in judicial custody and it will take time for the trial to conclude. Admittedly, the case involves version as well as cross-version and the aggressor party will be determined during trial. It being so, no gainful purpose is going to be served by keeping the petitioner in custody for any longer period.

7. In light of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

10.02.2025

Priyanka Thakur

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No