

CRM-M Nos. 29698, 31540, 38517, 41796 & 52554 of 2023 1

2023:PHHC:139793

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

234+333

Date of decision : 02.11.2023

1. CRM-M-29698-2023
Jaspal Singh @ Jass and another **Petitioners**

versus

State of Punjab **Respondent**

2. CRM-M-31540-2023
Mandeep Singh @ Manu **Petitioner**

versus

State of Punjab **Respondent**

3. CRM-M-38517-2023
Dilbagh Singh @ Dana **Petitioner**

versus

State of Punjab **Respondent**

4. CRM-M-41796-2023
Ravinderjit Singh @ Nona **Petitioner**

versus

State of Punjab **Respondent**

5. CRM-M-52554-2023
Jaspal Singh @ Kalu **Petitioner**

versus

State of Punjab **Respondent**

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CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. B.S. Jaswal, Advocate
for the petitioners in CRM-M-29698-2023.

Mr. Sarbjit Singh, Advocate
for the petitioner in CRM-M-31540-2023.

Mr. Divyansh Vats, Advocate for
Mr. H.S. Bath, Advocate
for the petitioner in CRM-M-38517-2023.

Mr. Avtar S. Sandhu, Advocate for
Mr. A.S. Rai, Advocate
for the petitioner in CRM-M-41796-2023.

Mr. Kushagra Mahajan, Advocate
for the petitioner in CRM-M-52554-2023.

Mr. Amit Shukla, AAG, Punjab.

PANKAJ JAIN, J. (Oral)

1. Reply by way of affidavit of Sucha Singh, PPS, Deputy Superintendent of Police, PBI-NDPS cum Narcotics, Amritsar-Rural on behalf of the respondent-State has been filed in CRM-M-29698-2023. The same is taken on record.

2. By way of these five petitions under Section 439 Cr.P.C., the petitioners are seeking regular bail in FIR No.72 dated 13.04.2023, registered for the offences punishable under Sections 336/506/148/149 of IPC and Sections 25/27 of Arms Act (Section 307 of IPC added later on) at Police Station Jandiala, District Amritsar.

3. As per the contents of the FIR, allegations are as under:-

“Statement of Gulbir Singh Golla son of Sawinder Singh resident of village Gill, PS Jandiala, Amritsar, aged about 25 years old, Mobile No. 97801 53582. I reside at the above given

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address and doing business of Sanitary. I was married about four years back. Last night on dated 12.04.2023, I along-with my wife namely Kirandeep Kaur was at the home. The time was around 9 o'clock at night, that at time, out side of my house there were a light because of light lamp and out side of my house, Bittu son of Unknown resident of near Royal Rasoi, R/o Akalgarh Deplaian and Gurwinder Singh @ Goggi son of Karam Singh resident of Near Gurudwara Sahib, Chagawan, PS Mattewal, came on the motor cycle and about 10/15 were unknown persons alongwith them came on a different motor cycle and they all were gathered in front of my house and started abusing at me and due to fear I went on the terrace of my house. One of the known person fired 2/3 shots in the air through his pistol and also threatened me to kill and stated Golla will be killed and due to fear couldn't read out the motorcycle number as well as the known persons who covered their faces but I would recognised them if they came before me. I went to my home due to fear at last night. Today having discussion with my family members about the incident and going to report to the police station where you met me. Bittu and Gurwinder Singh @ Goggi and alongwith unknown persons came in front of my house and threaten me to kill and also fired a short in the air from their pistol and to make terror in the area. The action be taken against the above said persons."

4. Challan already stands presented on 13.06.2023. It is a case of no injury. Petitioners are behind bars for last more than 05 months. Apart from a bald allegations that shots were fired in the air in

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front of the house of the complainant, there is no allegation that any person got injury.

5. Keeping in view of above, the present petitions are allowed. Petitioners are ordered to be released on regular bail on their furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

6. Needless to say nothing recorded herein shall be construed to be an expression of an opinion on the merits of the case.

7. A photocopy of this order be placed on the files of other connected cases.

(PANKAJ JAIN)
JUDGE

02.11.2023

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Whether speaking/reasoned : Yes

Whether Reportable : No