
(2011) 12 P&H CK 0042

High Court Of Punjab And Haryana At Chandigarh

Case No: Criminal Miscellaneous No. M 11509 of 2011

Sagar Puri

APPELLANT

Vs

State of Punjab

RESPONDENT

Date of Decision: Dec. 6, 2011

Acts Referred:

- Penal Code, 1860 (IPC) - Section 148, 149, 323, 452

Hon'ble Judges: M.M.S. Bedi, J

Bench: Single Bench

Final Decision: Allowed

Judgement

M.M.S. Bedi, J.

This is second petition for grant of regular bail by the petitioner earlier having been dismissed by a Coordinate Bench of

this Court on February 15, 2010.

2. A perusal of the order dated February 15, 2010 passed by a Coordinate Bench of this Court indicates that petition for bail was dismissed,

inter-alia on the ground that the petitioner was involved in three FIRs mentioned in the order dated February 15, 2010.

3. Counsel for the petitioner submits that when the earlier petition was dismissed, the petitioner had been taken by surprise as the petitioner was

unable to clarify his position regarding the FIRs mentioned in the order. It has been submitted by counsel for the petitioner that FIR No. 364 of

2007, Police Station Faridkot and FIR No. 74 dated May 19, 2008 have been quashed by the High Court. The petitioner has been acquitted in

FIR No. 208 of September 23, 2009. The only FIR which remains to be tested in trial is FIR No. 87 dated May 29, 2007 under Sections 452,

323, 148, 149 IPC, Police Station City Ferozepur. It has been informed that the complainant has died in the said case.

4. Without expression of any opinion regarding the antecedents of the petitioner, on the basis of the abovesaid FIRs, it is sufficient to observe that

the petitioner is not specifically named in the FIR and no part has been attributed to him. As per the FIR, PW Vishal had seen Kamal Kochar

carrying a revolver in hand. He was also seen firing at Aman, deceased. The allegation against the petitioner is that he was named by his co-

accused and on his arrest and he has made a disclosure statement resulting in recovery of motorcycle.

5. In view of eye-witness having not specifically named the petitioner, the petitioner can be granted the concession of regular bail especially when

he has been in custody w.e.f. January 8, 2010.

6. It has been informed that the complainant has already been examined.

7. Petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds/ surety bonds to the satisfaction of the trial Court.