



214 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-12930-2024
Date of decision: 15th July, 2024

Taranjit Singh
Versus
State of Punjab
...Petitioner(s)
...Respondent(s)

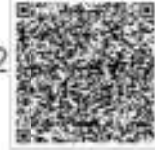
CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. M.S. Dhaliwal, Advocate for the petitioner.
Mr. A.S. Samra, AAG, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 439 of Cr.P.C. seeking regular bail in DDR No. 26 dated 23.10.2023 registered under Sections 307, 506, 148, 149 of IPC, 1860 and Section 27 of Arms Act, 1959 in FIR No. 148 dated 20.10.2023 under Sections 302, 404, 341, 148 And 149 of IPC, 1860 and Section 25, 27 of Arms Act, 1959 at Police Station Kot Ise Khan.

2. Brief facts of the case relevant for the purpose of disposal of the present petition are that the aforementioned FIR was registered on the basis of statement recorded by complainant Kulwinder Kaur, resident of village Khosa Kotla, District Moga alleging therein that on 20.10.2023, at about 7:00 AM, her father-in-law namely Veer Singh, Sarpanch, Ranjeet Singh, Major Singh, petitioner Taranjit Singh @ Tarna, Piara Singh, Dev Singh and Balwinder Singh were going on Galoti road in routine manner. Complainant



along with her sister-in-law(*Jethani*) Karamjit Kaur was also going for morning walk and were following above named persons. When they reached near the electric motor of Nirmal Singh @ Nimma, the above named Veer Singh etc. were intercepted by two cars and 3-4 motorcycles 14-15 persons alighted from the same and after crossing the complainant and her companions, they rounded up Veer Singh and the persons who were going along with him. They had opened an assault upon them with firearms which they were carrying. She alleged that Sukhdev Singh fired a shot which hit the head of her father-in-law Veer Singh and Gurdeep Singh had fired shot hitting in the stomach of Ranjit Singh. Both of them had fallen on the ground. Ranjit Singh had also given a blow with baseball on the head of Taranjit Singh. They raised hue and cry and then the assailants fled away from the spot. They had brought the victim Veer Singh and Ranjit Singh to the hospital but they were declared to be dead. On these allegations, a case bearing FIR No. 148 was registered on the same day and the investigation proceedings were initiated. On 30.10.2023, a DDR No. 26 was got entered on the basis of a statement recorded by Surinderjit Singh @ Chindi alleging therein that on 20.10.2023 at about 7:00 AM, he along with his father Sukhdev Singh @ Gurcharan Singh, Malkiat Singh, Ranjit Singh @ Jeet, Sohan Singh and one more person were going in their alto car bearing No. PB-29M-6465 and when they reached at Galoti Road, they found Veer Singh, Ranjit Singh, petitioner-Taranjit Singh, Dev Singh, Piara Singh and Balwinder Singh to be sitting on the motor pump of Nimma. 14-15 persons were also standing there on motorcycles. They were armed with weapons.



He alleged that heated words were exchanged between them and then the present petitioner had a scuffle with the complainant Surinderjit Singh. The petitioner had directed Veer Singh to fire a shot while pointing towards Surinderjit Singh stood in front of his father to save him and the bullet hit his right shoulder and another bullet hit his neck and he has fallen down. Then his (Surinderjit Singh's) father Gurcharan Singh had also fired a shot which had hit the head of Veer Singh. Veer Singh had also fired shots and in the scuffle, Ranjit Singh had sustained firearm injury in his abdomen. The DDR was initially registered under Sections 307, 506, 148 and read with Section 149 of IPC and Section 27 of Arms Act against the petitioner and co-accused. The petitioner was arrested on 31.10.2023. He suffered disclosure statement and got recovered *gandasi* used by him at the time of occurrence. On the version and cross-version of both the parties, investigation was conducted. The same has now been completed, as cross cases have been registered. The petitioner had moved an application for grant of regular bail before the Court of learned Additional Sessions Judge, Moga which has been dismissed vide order dated 21.02.2024.

3. The present petition has been filed by the petitioner on the grounds and it is argued by his counsel that he has been falsely implicated in this case. He is in custody since 31.10.2023. Infact, he has been involved in this case on the basis of cross-version so that he does not depose against the members of the complainant of DDR who are guilty of committing murder of Veer Singh and Ranjit Singh. The complainant party is close to a particular political party and by hook or crook wants to grab the post of



Sarpanch in the village and it was due to that reason that the victims Veer Singh who was Sarpanch of the village and Ranjit Singh had been killed by the members of the complainant party of DDR No. 26. He is in custody since long. His custodial interrogation is no more required. The DDR was registered against him three days after the occurrence. The trial is likely to take time. No useful purpose would be served by keeping him in custody. Therefore, it is argued that the petition deserves to be allowed and he deserves to extended benefit of bail.

4. Status report has been filed by respondent-State. It is argued by learned State counsel that there are serious allegations against the petitioner. It is submitted that FIR No. 148 was registered on the basis of statement of Kulwinder Kaur on 20.10.2023 regarding committing murder of Veer Singh and Ranjit Singh by the persons who are members of complainant party in DDR No. 26. The cross case was registered against the petitioner and others on 23.10.2023. It is a matter of version and cross-version of both the parties. Both parties have levelled serious allegations against each other. The petitioner had instigated the victim Veer Singh to open fire on Gurcharan Singh who had done so thereby hitting the shoulder of Surinderjit Singh. Therefore, it is argued that the petition does not deserve to be allowed.

5. I have heard learned counsel for the petitioner as well as learned State counsel at considerable length and have gone through the record carefully.

6. The allegations against the petitioner are that he had directed Veer Singh to fire a shot on the father of Surinderjit Singh complainant of



DDR No. 26 but Surinderjit Singh stood in front of his father and sustained two firearm injuries on right shoulder and neck. The medico legal report of the complainant Surinderjit Singh has been perused as per which, he had sustained injuries on his neck and shoulder. The petitioner is in custody since 31.10.2023. The firearm injury on the person of Surinderjit Singh has not been attributed to him. Recovery stands effected from him. Investigation has since been completed. Conclusion of the trial is likely to take time. Keeping in view the period of incarceration of the petitioner, the fact that it was not he who had fired shot on the complainant Surinderjit Singh and the above-discussed facts and circumstances of the case but without meaning to make any comment on the merits thereof, I am of the considered opinion that the petitioner deserves to be extended benefit of bail. Hence, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal as well as surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. Since the main petition has been allowed, pending application, if any is rendered infructuous.

[MANISHA BATRA]
JUDGE

15th July, 2024
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |