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

CRM-M-25243-2024

Date of Decision:- 02.09.2024

Mandeep Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Arshdeep Singh Brar, Advocate
for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

Mr. Vivek Salathia, Advocate
for the complainant.

AMARJOT BHATTI, J.

1. The petitioner – Mandeep Singh has filed petition under Section 439 Cr.P.C. for grant of regular bail in FIR No. 93 dated 02.07.2022 registered under Section 302/336/201/34/120-B of Indian Penal Code, 1860 read with Section 25/27 of Arms Act at Police Station “Sadar Patti” (Annexure P-1).

2. As per the facts of case, Ranjit Singh gave his statement to police that he is running medical store at Village Manakpura. There was a function on 01.07.2022 on the birth of grandson of Rasal Singh, Ex-Sarpanch of their village. Gurvel Singh, brother of complainant, and their neighbour Chamkaur Singh had gone to attend the function. At around 9:30 pm, when complainant returned home, he went to the house of Rasal Singh



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to call his brother. He noticed that friends invited by Mandeep Singh were firing indiscriminately in the street with rifles and pistols and were bursting crackers. When he reached the house of Rasal Singh, he noticed that D.J. was being played. Their guests were dancing and Rasal Singh, Mandeep Singh and Chamkaur Singh were firing shots from their respective weapons. In the meantime, he heard hue and cry that Gurvel Singh had been hit by a bullet. He then noticed that Gurvel Singh was lying on the ground with a bullet in his head. Gurvel Singh was immediately taken to Guru Nank Dev Super Specialty Hospital, Tarn Taran for treatment, where he was declared dead. With these allegations, present FIR was registered.

Later on, supplementary statement of complainant was also recorded on 03.07.2022. Investigation was concluded and thereafter, challan was presented against accused Rasal Singh and others.

3. Learned counsel for petitioner argued that complainant Ranjit Singh has given an improved version. Copy of FIR No. 93, dated 02.07.2022 registered at Police Station Sadar Patti, District Tarn Taran under Section 302/336/148/149/120-B of IPC and Section 25/27 of Arms Act is Annexure P-1. However, in supplementary statement dated 03.07.2022, Annexure P-6, complainant gave altogether different version, alleging that occurrence took place due to a dispute over common boundaries (*vatt*) of land. Learned counsel for petitioner placed on record copies of statements recorded during the course of trial i.e. statement of Ranjit Singh (complainant) as PW-1, Annexure P-2; statement of Mahinder Singh as PW-2, Annexure P-3; statement of Harjit Singh as PW-3, Annexure P-4. Co-accused Rasal Singh was granted bail in CRM-M-6304-

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2024 (O&M) vide order dated 10.04.2024, Annexure P-7. Present petitioner was arrested on 04.07.2022 and till date he is behind the bars. He is ready to abide by the terms of the bail order. Therefore, prayed that his regular bail petition may be allowed.

4. Bail petition was opposed by learned counsel representing complainant as well as learned counsel for respondent-State. Status report is also filed, which is taken on record. As per status report, after completion of investigation, challan was presented on 30.09.2022 against Mandeep Singh, Rasal Singh and Chamkaur Singh. Out of 18 prosecution witnesses, 09 prosecution witnesses have been examined, and the case is pending for remaining prosecution evidence, for 12.08.2024. It is argued that there are specific serious allegations against petitioner. Therefore, he does not deserve concession of regular bail.

5. I have considered the arguments and have gone through the record. FIR was registered on the statement of complainant Ranjit Singh, copy of which is Annexure P-1. His supplementary statement recorded on 03.07.2022 is Annexure P-6. It is a case of unfortunate death of Gurvel Singh. Post-mortem report is Annexure P-5. It cannot be ignored that statements of material witnesses i.e. Ranjit Singh (PW1), Mahinder Singh (PW2) and Harjit Singh (PW3), Annexures P-2 to P-4, have been recorded. Other prosecution witnesses are yet to be examined. Co-accused Rasal Singh has been granted regular bail. Considering aforesaid factual position and without expressing my mind on the merits of case, regular bail petition filed by petitioner – Mandeep Singh is allowed. He is ordered to be released on bail on furnishing bail bonds and surety bonds to the



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satisfaction of trial Court/Duty Judge concerned.

6. The petition is accordingly, accepted.

7. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

02.09.2024

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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No