



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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Date of decision : 15.07.2024

1. CRM-M-26497-2024

Jagdeep Singh Petitioner

versus

State of Punjab Respondent

2. CRM-M-26535-2024

Narinder Singh @ Harry Petitioner

versus

State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Akshay Chadha, Advocate
for the petitioner(s).

Mr. Pawan Kumar, DAG, Punjab.

Mr. Mandeep Kaushik, Advocate
for the victim/injured.

PANKAJ JAIN, J. (Oral)

1. Present petitions have been filed under Section 439 Cr.P.C.
for grant of regular bail to the petitioners in case bearing FIR No.85
dated 22.09.2023, registered for the offences punishable under Sections
307, 341, 148 and 149 of IPC and Section 25 of Arms Act at Police
Station Sadar Jodhan, District Ludhiana.

2. As per the contents of the FIR, it has been alleged as
under:-



“Statement of Balwinder Singh son of Sohan Singh resident of Village Pamali, Police Station Jodhan age about 56 years, Mobile Number 85560-73729 stated that I am resident of above said address and doing agriculture. I have two sons. My elder son Sukhpal Singh has gone abroad and my younger-son Inderjit Singh, who age is about 29 years and is married and his wife has gone Canada. Inderjit Singh was learning the truck repair work at Pohir (Ahmadgarh) and he used to come home daily at after 9 O'clock at night. Today also when my son Inderjit Singh was coming back to home, when my son reached near Aare wala Chowk and at that time I was walking on the road at the outside of my house and it was about 9:30 PM that persons, who were following the Baleno Car PB-10GS-6374 of my son on two bullet motorcycles, surrounded the car with intention to kill and shot 3-4 fires from rear side, out of which one bullet breaking through the seats hit at the back of my son Inderjit Singh. We took my son Inderjit Singh to DMC Hospital Ludhiana in the same vehicle who was injured due to bullet injury where he is undergoing treatment. I very well know all these persons, who are, Gurpreet Singh @ Guri son of Kulwant Singh resident of Sekhupura presently resident of Pamali, Simran Singh @ Rangar son of Gurpal Singh resident of Pamali, Jagjit Singh @ Jita son of Balwinder Singh resident of Lalton Kalan Narinder Singh @Harry son of Davinder Singh resident of Pamali, Jagdeep Singh son of Daljit Singh, resident of Pamali, all of our village. These aforesaid persons have with intention

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to kill have shot fires on my son after surrounding him on the way, who was coming home from his work. The reason behind resentment is that long time ago these persons have had a quarrel with my son due tractor towing (tractor tochan) and since then they have grudges towards my son. Legal action be taken against these above said persons and justice be done to us.xxx”

3. On 30.05.2024, following order was passed:-

“Custody certificates have been produced by learned State Counsel in both cases. The same are taken on record.

Mr. Mandeep Kaushik, Advocate has put in appearance on behalf of the victim/injured and files separate vakalatnamas. The same are taken on record.

Trial Court is directed to make sure that the victim is examined on the next date of hearing i.e. 07.06.2024.

Counsel for the complainant also assures the Court that the complainant shall make himself available on 07.06.2024.

Adjourned to 01.07.2024.

A photocopy of this order be placed on the file of other connected case.”

4. Today, counsels are *ad idem* that so far as victim is concerned, he stands examined. However, the complainant is yet to be examined. Counsel representing the petitioners has brought to the notice of the Court that there are two statements on record alleged to have been suffered by the victim. Both the statements were recorded during the course of investigation. One is dated 22.09.2023 and the



other is dated 28.12.2023.

5. Counsel for the petitioners by referring to the cross-examination suffered by the victim submits that though he has owned statement mark ‘A’ but has disowned statement mark ‘B’ which *prima facie* shows improvement over the version as the statement later in time has been owned and the initial statement has been disowned by none-else but the victim himself. As per the custody certificate, the petitioner-Jagdeep Singh has undergone custody of more than 09 months and 19 days and has clean antecedents.
6. Without commenting on the merits of the case and keeping in view the incarceration already suffered by the petitioners, 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.
7. Needless to say nothing recorded herein shall be construed to be an expression of an opinion on the merits of the case.
8. A photocopy of this order be placed on the file of other connected case.

(PANKAJ JAIN)
JUDGE

15.07.2024

Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No