



CRM-M-742-2025

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

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CRM-M-742-2025

Date of Decision: 12.08.2025

Sukhpinder Singh @ Sukh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. Pratham Sethi, Advocate
for the petitioner.

Mr. Rahul Jindal, AAG, Punjab.

YASHVIR SINGH RATHOR, J. (Oral)

1. Petitioner has filed this petition under Section 483 of B.N.S.S. for grant of regular bail in case FIR No.56, dated 19.12.2023, registered under Sections 109, 115, 120-B of IPC and Section 25 of Arms Act, 1959, Section 307 of IPC and Section 22 of NDPS (added later on) at Police Station State Special Operations Cell, Amritsar, District Intelligence Wing (CID).

2. Brief facts of the prosecution case are that on 19.12.2023, a secret information was received by the police that Sukhpinder Singh (petitioner) along with his accomplices Harmanpreet Singh, Justin Gill and other accomplices have formed a gang, which is supported by a gangster of the area namely, Pavitter Singh. It was also informed that the gang has received a consigned of weapons and the kingpin of the gang namely, Sukhpinder Singh is roaming in the area of Harchowal in his



Fortuner car in order to commit some crime and in case, a raid is conducted, he can be caught red-handed. A formal FIR under Section 25 of Arms Act and Sections 109, 115, 120-B of IPC, was registered and a naka was laid. The prosecution case further is that when a naka was laid on Harchowal to Sri Hargobindpur, accused Sukhpinder, while driving his vehicle ran over the barrier and drove the same with an intention to kill the police official deployed at the naka. He could not control the vehicle, which turned turtle but he managed to escape. On checking, two pistols 32 bore and magazines were recovered from the car. Thereafter, he was arrested from Chandigarh on 04.01.2024 and 4 grams of ice drug was also recovered from the speaker box of the same car on the basis of his disclosure statement.

3. Learned counsel for the petitioner argued that a false case has been registered against the petitioner. As per prosecution case, a secret information was received by the police that petitioner-Sukhpinder Singh @ Sukh is roaming in the area of Harchowal in order to commit some crime and in case a raid is conducted, he can be caught red handed. Thereafter, a ruqa was sent by the police officer who had received secret information and the formal FIR was registered under Sections 109, 115 and 120-B of IPC, 1860 and Section 25 of Arms Act, 1959 was registered. However, no offence had been committed by the time secret information was received and there could not have been any abetment to commit any offence or under Arms Act. Learned counsel further argued that petitioner was arrested on 02.01.2024 and he is in custody since then and may be released on bail or trial will take a long time to conclude.

4. On the other hand, learned State counsel argued that the



petitioner has committed a heinous offence and tried to run over the police officials, who were deployed at the barrier/naka. The petitioner ran away from the spot after the vehicle turned turtle but two weapons were recovered from the said car and lateron, 4 grams of ice drug was also recovered after he was arrested. Learned State counsel further argued that petitioner is involved in 4 more cases under Sections 307, 302 and 420 of IPC etc. and he is a habitual offender and he does not deserve the concession of bail.

5. No police official has suffered any injury and petitioner was not apprehended at the spot as the occupant of the car had allegedly escaped after it turned turtle. No test identification parade was also got conducted to ascertain whether it is the petitioner who was driving the vehicle and it will thus be a debatable question during the trial as to whether petitioner was involved in committing the offence or not.

6. Without commenting on the merits of the case but in view of the fact that the petitioner is in custody since 02.01.2024 and the trial is likely to take sufficiently long time to conclude, no useful purpose will be served by detaining him in custody and accordingly, the petition is allowed and the petitioner, is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned.

7. It is clarified that the observations made hereinabove shall not be construed to be an expression of opinion on the merits of the case

(YASHVIR SINGH RATHOR)
JUDGE

12.08.2025
Ali/pooja saini

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No