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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.1948 of 2025
Date of Decision: 27.03.2025
Reserved on: 21.03.2025

Sajanpreet Singh @ Sajan Kumar @ Sajan ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Navjot Singh, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

Mr. Ritesh Pandey, Advocate,
for the complainant.

MANISHA BATRA, J.

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
166	13.12.2024	Ghuman, Batala District Gurdaspur	109, 324(4) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”) and 25/27 of Arms Act, 1959

2. As per the allegations, on the evening of 13.12.2024, the petitioner along with two persons not known to the complainant, came to the shop of Gurjit Singh Jamba, uncle of the complainant Jashnpreet Singh in a Creta vehicle and asked about the whereabouts of his uncle,

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who was not present at the shop. The complainant told the petitioner that he had gone to Batala. On hearing this, the petitioner took out a pistol from his pocket and fired three shots with the same upon the complainant with an intention to kill him. One shot hit the glass of a vehicle standing near the shop of his uncle. The petitioner had narrow escape. He raised clamour and thereafter the petitioner fled from the spot along with his accomplices. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on the same day. His licenced weapon and the vehicle used in the occurrence was recovered from him. Investigation now stands completed.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 13.12.2024. There is old rivalry between the petitioner and the complainant. No recovery is to be effected from him. None had been injured in the alleged incident. The trial will take time. The empty shells were handed over by the complainant to the police but were not recovered by the police. His further incarceration would not serve any useful purpose. Therefore, it is urged that the petition deserves to be allowed.

4. Status report has already been filed. Learned Assistant Advocate General, Punjab assisted by learned counsel for the complainant has argued that there are serious allegations against the petitioner. He is a habitual offender since one more case has been registered against him. There are chances of his fleeing or intimidating the witnesses. Therefore, it is urged that the petitioner does not deserve to be released on bail.

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5. Learned counsel for both the parties have been heard at considerable length.
6. The petitioner is in custody since 13.12.2024. No one has been injured in the alleged incident. The trial will take time. Given the nature of the allegations as levelled in the FIR, I am of the considered opinion that no useful purpose would be served by keeping the petitioner in custody any more. His involvement in one more case cannot be considered to be a ground for denying benefit of bail to him. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.
7. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

27.03.2025
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No