

2025:PHHC:129917



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.3339 of 2025
Date of Decision: 19.09.2025
Reserved on: 17.09.2025

Azad Saini ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Rajeev K.Kapila, Advocate,
for the petitioner.

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

Mr. Neeraj Yadav, 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
184	03.06.2024	City Hoshiarpur, District Hoshiarpur	307 and 323 of IPC and 25 and 27 of Arms Act, 1959

2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of statement recorded by the complainant Rajnish Kaur on 03.06.2024

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alleging that she was married with the petitioner on 01.05.2016. The petitioner used to extend beatings to her. In the year 2024, she along with the petitioner and her daughter, had separated from other members of her in-laws family and had shifted elsewhere. On the night of 02.06.2024, the petitioner was under the influence of liquor and started proclaiming that he did not want to live with her and would get divorce. He started extending beatings to her and then brought a pistol from the room and pointed the same on her forehead. The bullet missed fire. He fired another shot at her with an intention to kill her. The pellets hit her left leg thereby injuring her. Clamour raised by her attracted the neighbours and then the petitioner fled away along with his weapon. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on 03.06.2024. 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 03.06.2024. The trial will take considerable time to conclude. The complainant stands examined and has not supported the prosecution version. He has clean antecedents. His further incarceration would not serve any useful purpose. It is, therefore, urged that he deserves to be released on bail.

4. Per contra, it is argued by learned Assistant Advocate General, Punjab that keeping in view the gravity of the allegations, the petitioner does not deserve to be extended benefit of bail.

5. Learned counsel for the complainant, however, has not raised

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any objection, if the petition is allowed.

6. This Court has considered the rival submissions.

7. The petitioner is alleged to have fired shots with pistol on the victim. She had sustained pallet injuries. She has not, however, supported the prosecution version while appearing as a witness before the trial Court as revealed from the copy of her sworn statement as produced on record. The petitioner is in custody since 03.06.2024. The trial is likely to take time as only one witness has been examined so far. Keeping in view the nature of evidence which has come on record in the form of testimony of the most material witness i.e. the complainant, the period of incarceration of the petitioner coupled with the fact that the trial is likely to take time, this Court is of the opinion that a case for grant of bail is made out in favour of the petitioner. 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.

8. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANISHA BATRA)
JUDGE

19.09.2025
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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No