



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

242

CRM-M-5202-2025

Date of decision: 04.02.2025

Mony Singh @ Suraj Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Lovepreet Singh Sidhu, Advocate
for the petitioner.

Mr. Shiva Khurmi, AAG, Punjab.

Mr. Nitin Verma, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') in case FIR No.146 dated 14.09.2024 under Sections 109, 351(3), 191(3), 190, 111(2)(b) of the Bharatiya Nyaya Sanhita, 2023, Section 25 of the Arms Act, 1959 and Sections 4 and 5 of the Explosive Substance Act, 1908 (Section 61(2) of the Bharatiya Nyaya Sanhita, 2023 added lateron) registered at Police Station Sadar Faridkot, District Faridkot.

2. Learned counsel for the petitioner submits that although the petitioner had been named in the FIR in question, however, a perusal of the FIR which has been annexed as Annexure P-1, clearly reveals that no specific role, much less injury, has been attributed to him; the only role, if any, attributed to him is of being part of the



unlawful assembly and thereafter having pelted stones towards the complainant party. It has been further submitted that the occurrence took place on 13.09.2024 and it was two days later a supplementary statement was made by the complainant wherein he implicated the petitioner, along with other co-accused, as also being one of the participants in the alleged occurrence. Learned counsel for the petitioner has asserted that no doubt one firearm injury has been sustained by brother of the complainant, namely Hardeep Singh, however, the said firearm injury has not been attributed to the petitioner but to the prime accused Love, with whom the complainant allegedly had some previous history of animosity. Learned counsel has, therefore, prayed for extending the concession of bail to the petitioner, who has been in custody since 29.09.2024. It has been submitted that the investigation in the present case is complete as challan already stands presented. It has also been contended that there is little likelihood of the trial concluding in the near future as none of the 18 prosecution witnesses have been examined, and the case has not yet been committed to the Sessions Court.

3. Per contra, learned State counsel, assisted by learned counsel for the complainant, while opposing the prayer made by learned counsel for the petitioner, on instructions from Inspector Guranditta, has not been able to dispute that no specific injury or role has been attributed to the petitioner. On a pointed query, learned State counsel, on instructions, has not disputed that two firearm injuries, allegedly sustained by injured Hardeep Singh, have not been attributed



to the petitioner but to co-accused Love, who allegedly had an axe to grind against the complainant party. Learned State counsel, on further instructions, has neither disputed the custody period nor the stage of the trial.

4. On further query, learned State counsel, on instructions, has not disputed that the petitioner has no previous criminal antecedents.

5. I have heard learned counsel for the parties and perused the material placed on record.

6. The petitioner has been in custody since 29.09.2024. The trial is likely to take considerable time to conclude as 18 prosecution witnesses have been cited and the case has not yet been committed to the Sessions Court. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

7. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

8. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

04.02.2025

(MANJARI NEHRU KAUL)

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JUDGE

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