

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

2025:PHHC:151770



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CRM-M-6233-2025

Date of decision: 04.11.2025

Harmandeep Singh @ Manna

....Petitioner

V/s

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Tuneet Walia, Advocate for the petitioner.

Mr. Jaypreet Singh, DAG, Punjab.

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of BNSS for grant of regular bail to the petitioner in case bearing FIR No.0068 dated 10.06.2023 registered for the offences punishable under Sections 307, 120-B, 34 of IPC and Section 25 of the Arms Act, 1959 at Police Station Khichian, District Amritsar Rural.

2. The case set up in the FIR in question (as set out by the petitioner in the present petition) is as follows:-

“Statement of Gurjeet Singh @ Kaalu S/o Gurdev Singh R/o Bhorsi Rajputana, P.S. Khilchain, District Amritsar, aged about 22 years, M.no. 7587235807, has stated that he is the resident of the above stated address and he does labour work. On 09.06.2023, I along with my wife Manju was going to the doctor on foot for taking her medicines, to the village doctor shop in the evening at around 8:45 p.m. When we reached near my brother's house Gurpreet Singh, we saw two youngsters were

coming from behind in a motorcycle. Babaljit Singh @ Bobby S/o Rachpal Singh was riding the motorcycle and Manna S/o Buta Singh R/o Bhorsi Rajputana, was the pillion rider. Then Manna took out his country pistol and fired with the intention to kill me. That I got scared and I moved little forward and due to that the fire hit my wife Manju on her right foot, due to which she fell down. Then I raised hue and cry, that they will kill us. Then both of them moved forward and stopped their motorcycle, and started abusing both of us, and then they fled away from the spot. I got very scared at that time that I was not able to read the registration no. of their motorcycle. Babaljit Singh @ Bobby and Manna, they work with one Jaskaran Singh S/o Gurjinder Singh R/o Jasonangal, who has service station. Jaskaran Singh instigated them, that is the reason Manna fired at me and my wife Manju with an intention to kill. Listening to our hue and cry, my brother, Gurpreet Singh and my father-in-law Hira Singh came and other people also gathered. My brother Gurpreet Singh and my father-in-law Hira Singh arranged a vehicle to take my wife Manju to Civil Hospital, Baba Bakala Sahib, where she was admitted and is undergoing treatment. Manna had borrowed Rs. 10,000/- from me, when I asked my money back, Manna said that you have insulted me in front of people by asking for money. That is the reason he fired at us. At night I was in the hospital with my wife Manju, that is why I could not come to file the complaint. Today my mother-in-law Manjit Kaur is with my wife, so I have come with my uncle's son Amritpal Singh S/o Lakhwinder Singh R/o Bhorsi Rajputana to file my complaint. Strict legal action may kindly be taken against all the accused persons.”

3. Learned counsel for the petitioner has submitted that the petitioner is in custody since 11.06.2023. Learned counsel for the petitioner has urged that the petitioner has been falsely implicated into the FIR in question on account of an impending dispute with the FIR-complainant side. Learned counsel for the petitioner has further argued that the offence under Section 307 IPC is not made out against the

petitioner. He has further argued that the petitioner is in custody for more than 2 years with the trial is not progressing. Thus, regular bail is prayed for.

4. Counsel for the State has opposed the present petition by arguing that the allegations raised are serious in nature and, thus, the petitioner does not deserve the concession of regular bail.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 11.06.2023, whereinafter investigation was carried out and challan was presented on 08.09.2023 wherein total 45 witnesses have been cited. It is common ground between the rival counsel that out of cited prosecution witnesses none has been examined till date. It is not in dispute that the conclusion of trial will take long time. At this juncture, it would be apposite to refer herein to the *dicta* passed by the Hon'ble Supreme Court ***Javed Gulam Nabi Shaikh vs. State of Maharashtra and another, 2024(3) RCR (Criminal) 494***, relevant whereof reads thus:

“18. Criminals are not born out but made. The human potential in everyone is good and so, never write off any criminal as beyond redemption. This humanist fundamental is often missed when dealing with delinquents, juvenile and adult. Indeed, every saint has a past and every sinner a future. When a crime is committed, a variety of factors is responsible for making the offender commit the crime. Those factors may be social and economic, may be, the result of value erosion or parental neglect; may be, because of the stress of circumstances, or the manifestation of temptations in a milieu of affluence contrasted with indigence or other privations.

19. If the State or any prosecuting agency including the court concerned has no wherewithal to provide or protect the fundamental right of an accused to have a speedy trial as enshrined under [Article 21](#) of the Constitution then the State or any other prosecuting agency should not oppose the plea for bail on the ground that the crime committed is serious. [Article 21](#) of the Constitution applies irrespective of the nature of the crime.”

The rival contentions of the learned counsel for the parties; as to the whether the petitioner has been falsely implicated into the FIR, shall be gone into during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage lest it may prejudice the rights of either of the parties. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the remaining prosecution evidence.

As per the custody certificate dated 03.11.2025 filed by the learned State counsel, the petitioner has suffered incarceration for more than 2 years, 4 months and 18 days. Further, as per the said custody certificate the petitioner is shown to be involved in multiple other cases. However, this factum cannot be a ground sufficient by itself, to decline the concession of regular bail to the petitioner in the FIR in question when a case is made out for grant of regular bail *qua* the FIR in question by ratiocinating upon the facts/circumstances of the said FIR. Reliance in this regard can be placed upon the judgment of the Hon’ble Supreme Court in ***Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586***; a Division Bench judgment of the Hon’ble Calcutta

High Court in case of *Sridhar Das v. State, 1998 (2) RCR (Criminal) 477* & judgments of this Court in *CRM-M No.38822-2022* titled as *Akhilesh Singh v. State of Haryana*, decided on 29.11.2021, and *Balraj v. State of Haryana, 1998 (3) RCR (Criminal) 191*.

Suffice to say, the further detention of the petitioner in custody is not required in the facts and circumstances of the case.

7. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the learned concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaq Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed

hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.
10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.
11. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(SUMEET GOEL)
JUDGE

November 04, 2025
Naveen

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