



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.7395 of 2025
Date of Decision: 27.03.2025

Jatinder Singh ... Petitioner

Versus

State of Punjab and others ... Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Preetinder S.Ahluwalia, Advocate,
for the petitioner.

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

Mr. Jaiveer Singh, Advocate,
for respondents No.2 and 3.

MANISHA BATRA, J. (Oral)

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
0001	03.01.2025	Lehra, District Sangrur	109, 126(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”) and 25 and 27 of Arms Act, 1959

2. As per the allegations, in the evening of 02.01.2025, the complainant Kulwinder Singh received a call from his maternal uncle Amrik Singh informing that some persons had fired shots at him with

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intention to kill him and that he had sustained injuries and was lying on the road. On hearing so, the complainant immediately rushed towards the informed place and found his uncle to be lying injured, who was rushed to the hospital. He was medically examined. He had sustained four firearm injuries. On his statement, the aforementioned FIR was registered against unknown persons. Investigation proceedings were initiated. During investigation, supplementary statement of complainant was recorded on the basis of which the present petitioner was nominated as an accused. He was arrested on 11.01.2025 and was identified by the victim as his assailant. He was interrogated and suffered disclosure statement in pursuance thereof one .32 bore revolver and six empty cartridges were got recovered at his instance. Investigation stands concluded.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not named in the FIR. The complainant as well as the victim has sworn affidavits exonerating him from the allegations as levelled against him. He is a relative of the victim and, therefore, question of not recognizing him at the time of alleged occurrence did not arise. The fact that he was not named in the FIR has rendered the entire prosecution story doubtful. He is in custody since long. Trial is likely to take considerable time. He has clean antecedents. His further incarceration would not serve any useful purpose. Therefore, it is urged that he deserves to be released on bail.

4. Status report has already been filed. Learned Assistant Advocate General, Punjab has argued that the victim had sustained multiple

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firearm injuries. The firearm used in the occurrence has been recovered at the instance of the petitioner. There are grave allegations against him and, therefore, it is urged that he does not deserve to be released on bail.

5. Learned counsel appearing for respondents No.2 and 3, on the other hand, has conceded the fact that they had sworn affidavits Annexures P-2 and P-3 in favour of the petitioner. He has not raised any serious objection to the allowing of the petition.

6. This Court has considered the rival submissions.

7. The petitioner is in custody since 11.01.2025. Challan has been filed. The custodial interrogation of the petitioner is not more required. Trial is likely to take considerable time to conclude. Though no relevance can be given to the affidavits sworn by the respondents No.2 and 3 in favour of the petitioner, however, still keeping in view the above discussed facts but without meaning to make any comment on the merits of the case, this Court is of the considered opinion that the petition deserves to be allowed. Accordingly, the same 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.

(MANISHA BATRA)
JUDGE

27.03.2025
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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No