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

CRM-M-8206-2025

Date of Decision:31.07.2025

AKASHDEEP SINGH ALIAS KASHU

...PETITIONER

VS.

STATE OF PUNJAB

...RESPONDENT

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Vikram Satpal Anand, Advocate
for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 439 Cr.P.C with a prayer to grant regular bail to him in case FIR No.106 dated 14.11.2023, registered under Sections 307, 323, 506, 148, 149 of IPC and Sections 25/27 of Arms Act, Police Station Fatehgarh Churian, Police District Batala, District Gurdaspur.

2. The FIR in the present case was registered on the basis of the statement made by Gurbir Singh and the same has been reproduced below:-

“Statement of Gurbir Singh son of Jaspal Singh, resident of Village Ghanie Ke Bangar, District Gurdaspur, aged 22 years Mobile No. 99141-56092. It is stated that I am the resident of above mentioned address and I do agriculture work. Today at 10.30 a.m. I alongwith my friend Maninder Singh r/o Fatehgarh



Churian had visited "Perfect Salon" near Dushera Grounds, Fatehgarh Churian for getting my beard trim when while I was sitting in salon waiting for my turn about 22-25 minutes later outside the salon Akshdeep Singh Kashu son of Jaspal Singh, r/o Samrai along with Sajjan Masih @ Bucha s/o Jitu Masih, r/o Fatehgarh Churian, Gurbinder Singh s/o Kulwinder Singh r/o Samsherpur, Amritpal Singh @ Happy s/o Dilbagh Singh, r/o Beela and 3-4 unknown persons and Akashdeep Singh Kashu called out for me from the salon and when I came out the salon then Gurbinder Singh gave lalkara and said "catch hold of him and teach him a lesson for asking money for the A.C." and Akashdeep Singh @ Kashu slap me on my face. When I objected to this then Happy, Sajjan Masih @Bucha and one unidentified person started giving me beatings and Akashdeep Singh @ Kashu took out pistol from right side of his waist and with the intention to kill he fired upon me which hit me on my left flank then Akashdeep Singh @ Kashu fired a second shot upon me which hit on my left thigh and I fell on the ground and all the assailants while giving threats ran away on their vehicles. My friend Maninder Singh arranged for convenience and took me to Civil Hospital, Fatehgarh and the doctor on seeing my condition referred to me Amritsar where I am under treatment. The discord is that Akashdeep Singh Kashu had taken A.C. on instalment and he was not paying the instalments. Action be taken. The statement is got recorded which is heard and is correct. Sd/- Gurbir Singh. Certified by Rajbir Singh ASI, P.S. Fatehgarh Churian dated 14.11.2023."

3. Learned counsel for the petitioner contends that as per the case set up by the prosecution, the petitioner was allegedly armed with a pistol and had fired a shot which hit on the right flank and left thigh of the complainant. He further contends that the injured in the present case has been discharged from the hospital long ago. The petitioner was arrested in the present case on



28.06.2024 and is in custody for the last more than 01 year and 01 month. He further submits that in the present case, even the charge has not been framed against the petitioner and the conclusion of the trial will take quite a long time. He further submits that even though 05 more cases were ordered to be registered against the petitioner but the petitioner is on bail in all these cases.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner is a hardened criminal and he does not deserve the concession of bail by this Court.

5. I have heard the learned counsel for the parties and perused the record carefully.

6. In the present case, the petitioner is stated to be in custody for the last more than 01 year and 01 month. However, after presentation of challan, only charge has been ordered to be framed and the prosecution has not been able to examine even a single witness so far. Thus, the trial may not conclude in near future and the further custody of the petitioner will not serve any useful purpose.

7. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate subject to the following conditions:-

(i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.



(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.

(iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.

(v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.

(vi) In case, the petitioner is involved in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.

(vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

8. In case, the petitioner violates any of the conditions mentioned above, it shall be viewed seriously and the concession of bail granted to him shall be liable to be cancelled and the prosecution shall be at liberty to move an application in this regard.

31.07.2025
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(N.S. SHEKHAWAT)
JUDGE

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