



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

241-2

CRM-M-9827-2025

Date of decision: 25th February, 2025

Kawaljit Singh @ Kanwaljit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. M.S. Basra, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 136 dated 23.10.2024 registered under Sections 109, 111, 108(4), 111(5), 112 and 308(4) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Sections 25 and 27 of Arms Act, 1959 at Police Station Dera Baba Nanak, Police District Batala, District Gurdaspur.

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of statement got recorded by the complainant Randeep Singh, alleging therein that on 23.10.2024, he along with his assistant Akash was present in his medical store, when one youth reached there and gave him a signal to come



to him and when the complainant reached near him, he took out a pistol and fired a shot towards the complainant thereby injuring his left thigh. The complainant raised a clamour and on hearing the same, his brother rushed for his rescue and then the assailants fled away. After registration of FIR, investigation proceedings were initiated. During investigation, a secret information was received that the accused Anmoldeep Singh was the person who had made an attempt to murder the victim and after the offence, the present petitioner, who is father of the above said accused along with his wife had provided shelter and motor bike to the accused and they were fully aware about the incident. Offence under Section 111(5) of BNS was added. The petitioner was nominated as an accused and was arrested on 29.10.2024. He moved an application for grant of bail before the learned Additional Sessions Judge, Gurdaspur which was dismissed vide order dated 03.01.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case only due to being father of the accused Anmoldeep Singh. The allegations that he had provided logistic support to his son and harboured him, are false. He is in custody since 29.10.2024. challan stands presented. Trial is likely to take time. He does not have criminal antecedents. The co-accused whose case was on similar footing, have been extended benefit of pre-arrest bail. On parity, he too deserves to be released on bail. Therefore, it is urged that the petition deserves to be allowed.

4. *Per contra*, learned Assistant Advocate General, Punjab who



has advance notice of the petitioner and is ready to argue the matter, has placed on record custody certificate and has submitted that there are serious allegations against the petitioner, who harboured the co-accused Anmoldeep Singh, who being a member of organized gang made an attempt to kill the complainant by firing a shot with a firearm upon him with intention to extort money from him. There are chances of petitioner's intimidating the witnesses or absconding, if extended benefit of bail. Therefore, it is urged that he does not deserve to be released on bail.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner is alleged to have harboured the co-accused Anmoldeep Singh, who is his son, by providing some vehicle and logistic support to him after he had made an attempt to murder the complainant and had also tried to extort money from him. He is in custody since 29.10.2024. Trial is likely to take time. No useful purpose would be served by keeping him in custody anymore. Co-accused whose case is on similar footing have since been extended benefit of bail by this Court. Keeping in view the nature of allegations as levelled against the petitioner, the period of her incarceration, the fact that he does not have any criminal antecedents coupled with the fact that the trial would take time, I am of the considered opinion that he deserves to be released on bail. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.



7.

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

Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

25th February, 2025
Parveen Sharma

1. Whether speaking/ reasoned

:

Yes / No
2. Whether reportable

:

Yes / No