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

CRM-M-11054-2025

Date of decision : 04.03.2025

Sandeep Singh @ Changa**.....Petitioner****versus****State of Punjab****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Amandeep Singh Manaise, Advocate
for the petitioner.

Mr. J.S. Arora, DAG, Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.05, dated 03.02.2024, under Sections 307, 452, 506, 34, 411, 450 of IPC, 1860 and Sections 25, 27 of Arms Act, registered at Police Station Ghuman Kalan, District Gurdaspur.
2. Succinctly the facts of the case are that FIR in the present case was registered on the basis of statement of complainant, namely, Kulwant Singh son of Balkar Singh. It was alleged that on 02.02.2024, he went to the house of his brother, namely, Balwinder Singh and at about 8:15 p.m., after reaching the house of his brother, he saw two persons, who came inside his brother's house by opening the gate. It was further alleged that one of them was Harjit Singh and other one was Sandeep Singh (petitioner). They called his brother, Balwinder Singh. On seeing his brother, Harjit Singh started abusing him and raised lalkara by asking his accomplice Sandeep Singh to fire at him. Thereafter Sandeep Singh fired at his brother from his pistol which hit on the left leg of his brother



and thereafter Harjit Singh snatched pistol from Sandeep Singh and fired at his brother which hit him on his left thigh. They raised alarm and on account of the same, both the accused escaped from there on their motorcycle. The injured was shifted to the hospital. The request was made to take legal action against the accused. On the registration of the FIR, the investigation commenced. The petitioner was arrested on 14.02.2024. The petitioner approached the Court of learned Additional Sessions Judge, Gurdaspur praying for the grant of bail. However after hearing both the sides finding no merit in the same, the learned Additional Sessions Judge, Gurdaspur declined the petition filed by the petitioner vide his order dated 23.10.2024. Hence being aggrieved, the petitioner is before this Court by way of filing the present petition praying for the grant of regular bail.

3. Learned counsel for the petitioner, at the outset, prays for the grant of bail on the basis of parity with that of co-accused Harjit Singh @ Harjit Singh Kahlon. He has drawn the attention of this Court to the order passed by this Court in CRM-M-50590-2024 dated 16.01.2025 whereby co-accused of the petitioner, namely, Harjit Singh @ Harjit Singh Kahlon has been granted the concession of regular bail. He has submitted that case of the petitioner is at par with the co-accused, who has been granted bail by this Court. He submits that on the basis of the parity, the petitioner deserves to be granted bail as case of the petitioner is similar to that of the co-accused, who has already been granted bail by this Court.

4. Learned State counsel has opposed the submissions made by counsel for the petitioner. He has placed on record the custody certificate of the petitioner which shows that petitioner has undergone actual sentence of 01 year and 17 days as on 03.03.2025. It further reflects that



though there are four other cases registered against the petitioner however, in three cases, he has been acquitted. However, he affirms that co-accused Harjit Singh @ Harjit Singh Kahlon has already been granted regular bail by this Court vide order dated 16.01.2025 passed in CRM-M-50590-2024. He, on instructions from ASI Sukhjinder Singh, has submitted that investigation is complete, challan has been presented and out of 23 prosecution witnesses, only 01 witness has been examined till date.

5. After hearing counsel for the parties and perusing the record, it is deciphered that on registration of the FIR, investigation commenced and petitioner was arrested on 14.02.2024. As submitted investigation is already complete, challan has been presented and out of 23 prosecution witnesses, only 01 witness has been examined till date. Co-accused Harjit Singh @ Harjit Singh Kahlon has already been granted regular bail. Custody certificate filed by the State shows that petitioner has undergone actual sentence of 01 year and 17 days as on 03.03.2025. It further reflects that though there are four other cases registered against the petitioner however, in three cases, he has been acquitted

6. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail on the basis of parity with co-accused, Harjit Singh @ Janta who has already been granted regular bail by this Court vide order dated 16.01.2025 passed in CRM-M-50590-2024. Accordingly, the present

petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

04.03.2025
m.sharma

(RAJESH BHARDWAJ)
JUDGE

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