



CRM-M-13642-2025

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

(1) CRM-M-13642-2025**Date of Decision: 19.03.2025**

Amandeep Singh

..... Petitioner

Versus

State of Punjab

.....Respondent

(2) CRM-M-13865-2025

Sukhchain Singh

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Amitoj Singh Dhaliwal, Advocate, for
the petitioners in both cases.

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

Rajesh Bhardwaj, J. (Oral)

1. This common order will dispose of above-mentioned two petitions as these have arisen out of same FIR.

2. Petitioners have approached this Court by way of present petitions praying for granting them regular bail in case FIR No.07 dated 14.01.2025 under Sections 109, 132, 221, 191, 190 of BNS, 2023 and Section 25 of Arms Act, registered at Police Station Smalsar, Punjab.

3. Succinctly, facts of the case are that on 14.01.2025, the Police received a secret information that Harvinder Singh @ Happy was standing alongwith his companions, who on previous night had caused injuries to a shopkeeper, namely, Karamjit. They were preparing to cause some another incident and were armed with deadly weapons. On receiving the secret information, a raiding team was constituted and approached the disclosed place. On reaching there, six young persons were found standing at the spot.



One of them fired at the police from the pistol which he was holding. In retaliation, the police also fired from their service revolver. One young person ran away in the wheat field and the remaining five persons managed to escape on two motorcycles. The Police apprehended for the person who went hiding in the wheat field. On asking, he disclosed his name as Amandeep Singh (petitioner in CRM-M-13642-2025). Thereafter, the police party nabbed one more person, who disclosed his name as Sukhchain Singh (petitioner in CRM-M-13865-2025). By the firing of the Police, Sukhchain Singh suffered a bullet injury in his thigh. The FIR was registered and both the accused were arrested on the spot. On the registration of the FIR, the investigation commenced. They approached the Court of learned Additional Sessions Judge, Moga for grant of bail, however, after hearing both the sides, learned Court declined the bail petition filed by the petitioners vide order dated 25.02.2025. Hence, the petitioners have approached this Court by way of filing the present petitions praying for grant of bail.

4. Learned counsel for the petitioners has submitted that the petitioners have been falsely implicated in the present case by the police on the basis of cock and bull story. He submits that it is petitioner Sukhchain Singh, who has suffered bullet injury fired by the police. It is submitted that neither the petitioners were armed with any weapon nor any recovery of weapon was effected from them. He submits that the police fired at the petitioner without any rhymes and reasons and only in order to save their skin, the present case was planted on them. He submits that no medical treatment, as required, was provided to the injured petitioner and all the efforts were made to hush up the case by falsely implicating them in the



present FIR. It is submitted that on the same day, the petitioners were booked in one more FIR i.e. FIR No.6. He submits that the investigation is complete and the challan is presented. He, thus, submits that in the overall facts and circumstances, the petitioners deserve to be granted bail.

5. Per contra, learned State counsel has vehemently opposed the submissions made by counsel for the petitioners. He submits that a day prior to the present occurrence, the petitioner have committed one offence in which they were required and the police on receiving the information, went to arrest them. They opened fire at the police and it is on account of the same, in retaliation the police fired in which petitioner Sukhchain Singh suffered injury on his thigh. He submits that the petitioners are involved in one more FIR of the even date. He submits that the investigation is complete and the challan is presented. He has placed on record the custody certificate of the petitioners. He has further submitted that when the assailants escaped from the scene of occurrence, recovery of weapons and bullets were effected from there.

6. After hearing learned counsel for the parties and perusing the record, it is deciphered that the occurrence has taken place on 14.01.2025. There is no denial to the fact that injury has been suffered by petitioner Sukhchain Singh. Though there are allegations against the petitioners that they fired at the police, however, admittedly, there is no injury caused to any person from the police side. The investigation is complete and the challan is presented. The custody certificate of the petitioners would show that they are not habitual offenders.

7. The veracity of the allegations would be assessed only after the



conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient 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 petitioners succeeds in making out a case for grant of regular bail to the petitioners.

8. Accordingly, the present petitions are allowed and the petitioners are ordered to be released on bail on their furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

9. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

(RAJESH BHARDWAJ)
JUDGE

19.03.2025
sharmila

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No