



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

224

CRM-M-14528-2025

Date of decision: 30.07.2025

Ranjeet Singh @ Rana

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Abhaysher Singh, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR J. (Oral)

1. Prayer in this petition filed under Section 483 of the BNSS, 2023, is for grant of regular bail to the petitioner in FIR No.50 dated 07.05.2024 registered under Sections 307, 148, 149 IPC and Section 25/54/59 of Arms Act, 1959 at Police Station Sadar Zira, District Ferozepur.
2. As per the prosecution case, the FIR (supra) was registered on the statement of Ranjit Shah, who alleged that on 06.05.2024, at around 9:00 p.m., the accused Rana (petitioner herein) along with co-accused Gurjit Singh, Sonu, Shali, Gopi, Nannu, Jagdeep Singh, Gurwinder Singh @ Gujjar, all armed with firearms and 10–12 unidentified persons, came outside his house in two cars. Nannu fired at him, causing injuries to his left hand and multiple shots were fired towards his house. On raising an alarm, the assailants fled away from the spot.



3. Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the FIR (supra). The complainant has made omnibus allegations of firearms against all the accused whereas the injury with pistol has been attributed to co-accused Nannu, who is alleged to have fired a shot which hit on the little finger of the complainant. Admittedly, the petitioner is not alleged to have caused any injury. Further the injury suffered by the complainant are on non-vital part. The petitioner has suffered the incarceration of 09 months and 20 days.

4. Learned counsel for the petitioner further submits that there are total 21 prosecution witnesses cited in the list of witnesses, out of which, no PW has been examined till date and the trial is likely to take long time in conclusion.

5. *Per contra*, learned State counsel has filed custody certificate and status report by way of affidavit of Gurdeep Singh, Deputy Superintendent of Police, Sub-Division Zira, District Ferozepur, today in the Court which are taken on record and he opposes the prayer made by learned counsel for the petitioner on the ground that the petitioner is a habitual offender and is involved in other cases also. The petitioner has been specifically named in the FIR (supra) and he has actively participated in the alleged incident, as such he is not entitled to any relief, however, he could not controvert the fact that no PW has been examined so far.



6. Having heard learned counsel for the parties and after perusing the record of the case, it transpires that the petitioner is behind the bars from the last 09 months and 20 days. Investigation is complete. The final report under Section 173 Cr.P.C. was presented before the concerned Court. Charges were framed and trial of the case has not made much progress. Out of 21 prosecution witnesses, no PW has been examined so far.

7. A two Judge Bench of Hon'ble Supreme Court in **"Satender Kumar Antil vs. CBI", (2022) 10 SCC 51**, with respect to prevailing conditions of undertrial prisoner in India has observed:

"6. Jails in India are flooded with undertrial prisoners. The statistics placed before us would indicate that more than 2/3rd of the inmates of the prisons constitute undertrial prisoners. Of this category of prisoners, majority may not even be required to be arrested despite registration of a cognizable offence, being charged with offences punishable for seven years or less. They are not only poor and illiterate but also would include women. Thus, there is a culture of offence being inherited by many of them. As observed by this Court, it certainly exhibits the mindset, a vestige of colonial India, on the part of the investigating agency, notwithstanding the fact arrest is a draconian measure resulting in curtailment of liberty, and thus to be used sparingly. In a democracy, there can never be an impression that it is a police State as both are conceptually opposite to each other."

8. Further the culpability, if any, would be determined at the time of trial and as such, no useful purpose will be served by further



detention of the petitioner-accused. Keeping the petitioner in further detention without the prospect of the trial being concluded in the near future, would be violative of his rights under Article 21 of the Constitution of India.

9. Further keeping in view the law laid down by the Hon’ble Supreme Court of India in “*Prabhakar Tewari vs. State of U.P. and another*” 2020 (1) R.C.R. (Criminal 831) and “*Maulana Mohd. Amir Rashadi vs. State of U.P. and another*”, 2012 (2) SCC 382, the involvement of the petitioner in other cases would not be a ground to refuse grant of concession of regular bail.

10. In view of the above discussions, the present petition is allowed. Accordingly, without commenting upon the merits of the case, the petitioner namely Ranjeet Singh @ Rana is ordered to be released on regular bail during pendency of the trial, on furnishing bail bonds/surety bonds to the satisfaction of Illaqa Magistrate/Trial Court/Duty Magistrate.

11. Nothing observed hereinabove shall be construed to be expression of an opinion by this Court on merits of the case. The learned Court below is directed to proceed with the matter on its own merits, lest it may prejudice the trial.

(HARPREET SINGH BRAR)
JUDGE

30.07.2025

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