



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

CRM-M-14394-2025

Reserved on: 12th May, 2025

Pronounced on: 19th May, 2025

Bohar Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Pardeep Kumar, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J :-

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. 187 dated 07.09.2024 registered under Sections 109, 191, 190, 61(2) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 25 of Arms Act, 1959 at Police Station City Budhlada, District Mansa.

2. As per the prosecution case, on 07.09.2024, the complainant Chamkaur Singh was standing in his courtyard along with his family members and some relatives when the accused Bahadur Singh, who is residing in his neighbourhood came on the roof of his house along with the petitioner Bohar Singh and co-accused Manga Singh. They were armed with weapons. The accused Bahadur Singh started hurling abuses to the

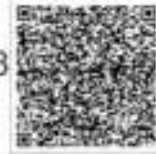


complainant. The complainant heard the family members of the petitioner while proclaiming that he should be taught a lesson for giving bid against them for purchase of a plot. Thereafter, the petitioner Bohar Singh fired a shot with .12 bore gun which he was carrying in his hand with an intention to kill the complainant and his companions. The shot hit Gurjinder Pal Singh. Manga Singh fired another shot but the members of complainant party were saved. On rescue alarm being raised, the assailants had fled away. Gurjinder Pal Singh was rushed to hospital. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on 08.09.2024. Investigation stands concluded.

3. The present petition has been filed by the petitioner on the ground and it is argued by his counsel that he is in custody since long. Trial is likely to take time. His further detention would not serve any useful purpose. The co-accused Bahadur Singh has been extended benefit of bail. On parity, he too deserves to be released on bail. With these broad submissions, it is urged that that the petition deserves to be allowed.

4. Status report has been filed by respondent-State. It is argued by learned Deputy Advocate General, Punjab that there are serious allegations against the petitioner who by forming membership of unlawful assembly with the co-accused, made an attempt to kill the complainant by firing as shot that hit the victim Gurjinder Singh. The allegations against him are serious. There are chances of his intimidating the witnesses or absconding, if extended benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.

5. I have heard learned counsel for the petitioner as well as learned



State counsel at considerable length and have gone through the record carefully.

6. The petitioner is alleged to have formed membership of an unlawful assembly on the fateful day, with the co-accused and in prosecution of common object of that unlawful assembly and on exhortation being made by the co-accused, he is alleged to have fired a shot with a .12 bore gun upon Gurjinder Singh, with an intention to kill him. The pellets hit his thigh and other parts of the body. The victim Gurjinder Singh had sustained seven firearm injuries and some injuries caused by blunt weapon at the hands of co-accused. He is in custody since 11.09.2024. Challan stands presented. Trial will take time. He has clean antecedents. The co-accused Bahadur Singh, has been extended benefit of bail. Taking into consideration the above discussed facts and circumstances but without commenting to make any comment upon the merits of the case, I am of the considered opinion that the petition deserves to be allowed. Hence, the same 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. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

19th May, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*