



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

319

CRM-M-15818-2025

Date of decision: 15th May, 2025

Harpreet Singh @ Happy

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Madan Sandhu, Advocate for the petitioner.

Ms. Pooja Nayar Sharma, Deputy 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. 86 dated 30.06.2024 registered under Sections 307, 120-B and 34 of IPC and Sections 25 and 27 of Arms Act, 1959 at Police Station Subhanpur, District Kapurthala.

2. As per the allegations, the aforementioned FIR had been registered on the basis of statement got recorded by the complainant Jaspinderjit Singh on 30.06.2024, alleging therein that on the same day, his father Lakhwinder Singh had gone towards grain market. On the same night, at about 8:15 PM, when the complainant was going back to his motor bike and was on the way, he found his father to be lying on the road. He was injured and blood was oozing out from his injuries. On asking, his father



disclosed that three unknown persons came on a motor bike and shot at him. The injured was immediately rushed to the hospital and was given treatment. While alleging that Hardev Singh @ Bona, who was having inimical relations with them, might have a hand in the occurrence, the complainant prayed for taking action in the matter. After registration of FIR, investigation proceedings were initiated. During investigation, the accused Amritpal Singh @ Amrit, who was in custody in some other case, suffered disclosure statement, admitting his involvement in the occurrence and also took the names of the present petitioner as well as the co-accused, saying that they had also participated in the occurrence. He also disclosed that they had done so at behest of one Manroop Singh, resident of USA who had promised to give them a sum of Rs.1,50,000/- and had given the same after the occurrence. The petitioner was nominated as an accused and he was arrested on 07.08.2024. Investigation stands completed and trial is going on.

3. It was argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statement of the co-accused. He was not named in the FIR. No specific overt act has been attributed to him. He has clean antecedents. Trial is likely to take time. His further detention would not serve any useful purpose. The firearm was allegedly used by co-accused Sharandeep Singh @ Sharan. No recovery has been effected from him. The co-accused Prabhjot Singh whose case is on similar footing has been extended benefit of bail. On parity, he too deserves to be given the same benefit. Therefore, it was urged that he deserves to be released on bail.

4. Status report as well as custody certificate had already been



filed by respondent-State. It was argued by learned Deputy Advocate General, Punjab that there are serious allegations against the petitioner. Trial has commenced and there is nothing on record to show that there would be any undue delay in conclusion of the same. The material witnesses are yet to be examined. There are chances of petitioner's intimidating them, if extended benefit of bail. The victim had sustained firearm injury, which was caused by the petitioner and the co-accused in furtherance of their common intention, by hatching a conspiracy. Therefore, it was urged that the petition does not deserve to be allowed.

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

6. The petitioner by hatching a conspiracy with the co-accused and on behest of one Manrooop Singh, resident of USA, is alleged to have fired a shot with a firearm upon the victim-Lakhwinder Singh. As per the medico legal report, one entry and exit wound had been found on the right lumber region of the victim. The injury was obviously dangerous to life. The petitioner was, however, not named in the FIR and has been nominated as such on the basis of disclosure statement of co-accused. He does not have any criminal antecedents. Investigation stands concluded. Trial will obviously take time. His further detention would not serve any useful purpose. Keeping in view the nature of allegations as levelled against the petitioner, the period spent by him in custody, on parity and as per the facts as enumerated above, but without meaning to make any comment on the merits thereof, I am of the considered opinion that the petitioner 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. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

15th May, 2025
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |