

2025:PHHC:072992



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.16879 of 2025
Date of Decision: 27.05.2025

Anmoldeep Singh ... Petitioner

Versus
State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Manbir Singh Basra, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
136	23.10.2024	Dera Baba Nanak, Batala, District Gurdaspur	109, 111, 108(4), 111(5), 112 and 308(4) of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”) and 25 and 27 of the Arms Act, 1959

2. As per the allegations, on 23.10.2024, the complainant was present in his medical store along with his assistance Akash when one youth reached there and signalled to come towards him. The complainant went towards the door of his shop and then the said youth took out a

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pistol and immediately fired a shot towards the complainant thereby injuring his left thigh. The complainant raised alarm, on hearing which, his brother rushed for his rescue and then the said youth along with some other persons who were present outside fled away. After registration of FIR, investigation proceedings were initiated. A secret information was received that accused Jobanpreet Singh had made an attempt to murder the victim by hatching a conspiracy and the petitioner had facilitated the said attempt by assisting Jobanpreet Singh by taking him near the shop of the complainant and sharing his identity with Jobanpreet Singh who fired gun shots towards the complainant. The petitioner was arrested and is in custody since 29.10.2024. Investigation stands concluded.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. No specific overt act has been attributed to him. He is in custody since long. The co-accused have been extended benefit of bail. He deserves to be treated on parity with them. The trial will take considerable time. His further incarceration would not serve any useful purpose. Accordingly, it is urged that the petition deserves to be allowed.

4. Per contra, learned Assistant Advocate General, Punjab has argued that there are serious allegations against the petitioner as he was a member of an organized gang constituted for the purpose of killing the complainant. He had conducted recce of the complainant had shared his details with the accused Jobanpreet Singh and had further assisted the co-accused Jobanpreet Singh in making attempt to commit murder of the

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complainant. There are chances of his absconding or intimidating the witnesses if extended benefit of bail. Hence, it is urged that the petition does not deserve to be allowed.

5. This Court has considered the rival submissions.

6. The petitioner is alleged to be a part of the conspiracy in pursuance of which, he had conducted recce of the complainant to help the main shooter Jobanpreet Singh and shared his identity with the said Jobanpreet Singh and had assisted him in firing shots towards the complainant. The petitioner is, however, in custody since 29.10.2024. Trial has commenced but will take sufficient time to conclude. Co-accused have extended benefit of bail. It is well settled proposition of law that bail is the rule and jail is an exception. Keeping in view the above discussed facts and circumstances but without meaning to make any comment on the merits of the case, lest they prejudice the case of either of the parties, 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 trial Court/Duty Magistrate/CJM concerned.

7. This order shall come into force from the time it is uploaded on this Court's official webpage.

(MANISHA BATRA)
JUDGE

27.05.2025
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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No