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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH
CRM-M-17197-2025
Date of decision: 3rd April, 2025

Kamaljeet Singh @ Kamal

Versus

State of Punjab

...Petitioner

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Rajesh Kapila, Advocate for the petitioner.
Ms. Swati Batra, Deputy Advocate General, Punjab.

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 and 308 (4) of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”) (111 (5) and 112 of BNS added later on) and 25 of the Arms Act, 1959

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of statement got recorded by the complainant Randeep Singh, alleging therein that on 23.10.2024, he along with his assistant Akash was present in his medical store, when one youth reached there and gave him a signal to come to him and when the complainant reached near him, he took out a pistol and fired a shot towards the complainant thereby injuring his left thigh. The complainant raised a clamour and on hearing the same, his brother rushed for his rescue and then the assailants fled away. After registration of FIR,



investigation proceedings were initiated. During investigation, a secret information was received that the accused Anmoldeep Singh was the person who had made an attempt to murder the victim and after the occurrence, co-accused Manjit Kaur, who is mother of the above said accused along with her husband had provided shelter and motor bike to the accused and they were fully aware about the incident. Offence under Section 111(5) of BNS was added. During investigation, the present petitioner was nominated as an accused on the allegations that he had given shelter to the co-accused. He was arrested on 24.12.2024. investigation now stands concluded.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the allegations that the co-accused Joban was given shelter by him. The disclosure statements suffered by the co-accused cannot be considered to be admissible against him. He is in custody since long. Co-accused Baljit Singh, Balbir Singh, Manjit Kaur and Navtej Singh, whose case was on similar footing, have been extended benefit of bail. On parity, he too deserves to be released on bail. Therefore, it is urged that the petition deserves to be allowed.

4. *Per contra*, learned Assistant Advocate General, Punjab who has advance notice of the petitioner and is ready to argue the matter, has placed on record custody certificate and has submitted that there are serious allegations against the petitioner who harboured the co-accused Jobanpreet, who being a member of organized gang made an attempt to kill the complainant by firing a shot with a firearm upon him with intention to extort money from him. There are chances of petitioner's intimidating the witnesses or absconding, if extended benefit of bail. Therefore, it is urged that he does not deserve to be released on bail.



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

6. The petitioner is alleged to have harboured the co-accused Jobanpreet Singh, who is his friend, by providing some vehicle and logistic support to him after he had made an attempt to murder the complainant and had also tried to extort money from him. He is in custody since 24.12.2024. Trial is likely to take time. No useful purpose would be served by keeping him in custody anymore. Co-accused, against whom similar allegations have been levelled, have already been granted concession of bail by this Court. Keeping in view the nature of allegations as levelled against the petitioner, the period of his incarceration, the fact that he does not have any criminal antecedents coupled with the fact that the trial would take time as well as the co-accused have been granted bail, I am of the considered opinion that he 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. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

3rd April, 2025

Parveen Sharma

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