244

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-21978-2025
Date of Decision:01.05.2025

GIAN SINGH

…PETITIONER

VS.

STATE OF PUNJAB

…RESPONDENT

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Mandeep Singh Gill, Advocate
for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

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N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 of BNSS, 2023 with a prayer to grant regular bail to him in case FIR No.35 dated 05.04.2024, registered under Sections 307, 326, 323, 324 of IPC & Sections 25 & 27 of Arms Act, Police Station Bhikhiwind, District Tarn Taran.

2. The FIR in the present case was registered on the basis of the statement made by Taljit Kaur and the same has been reproduced below:-

> *"Statement: Unknow Taljit Kaur, wife of Gurinderpat Singh, resident of Darajke, aged about 40 years, police station Bhikhiwind, district Tarn Taran, mobile number 84272-54450, stated that I live in the house of the said address and do housework. My marriage took place 10-12 years ago with Gurinderpal Singh. Gurinderpal Singh has been living abroad at Philippines for almost 1 year. My Brother-in-law Harjinder Singh*

VIPIN KUMAR
2025.05.02 11:11
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has gone abroad. His wife Jitinder Kaur lives with her family at her Grand Parents house and the younger brother-in-law lives separately with his family. My father-in-law Gyan Singh, son of Surjan Singh, a resident of Darajke, lives with us. On 04/04/2024 time around 3 o'clock in the evening my mother Sukhwinder Kaur wife Jasmer Singh resident of Jethuwal came to meet us, my father-in-law Gian Singh son of Surjan Singh resident of Darajke told me that why does your mother come to our house. I said, "My mom is coming to see us. What's the big deal?" Then we ate and went to sleep. In the morning. I got up around 5 AM when I was cleaning the floor of the house. My mother Sukhwinder Kaur also got up and came out to the room to brush. Her father-in-law Gian Singh, son of Surjan Singh, was carrying rifle and fired directly at the door of the room with the intention of killing her. It hit the left arm of my mother Sukhwinder Kaur and then fired another shot with the intention of killing her which hit my mother on the left side of stomach and fell down. She screamed "I have killed and killed". Then accused went inside with his rifle and fired a shot in the air. Gian Singh also hit himself. I and my Brother-in-law Yadwinder Singh s/o Gian Singh, a resident of Darajke, arranged a ride and got my mother Sukhwinder Kaur admitted to Amandeep Hospital Amritsar where she is undergoing treatment. Now I know that my father-in-law Gian Singh s/o Surjan Singh, a resident of Darajke, is also being treated at Amandeep Hospital Amritsar due to self suffered injuries. The statement has been got recorded, which is heard and correct. Action should be taken against the culprits /- Taljit Kaur."

3. Learned counsel for the petitioner contends that as per the allegations levelled by the complainant, the petitioner had fired two shots at Sukhwinder Kaur wife of Jasmer Singh on 05.04.2024. However, the injured has already been discharged from the hospital. He further contends that the

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2025.05.02 11:11
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petitioner was arrested on 06.05.2024 and is in custody for the last more than 11 months. After completion of investigation, the challan has been presented against him, however, no witness has been examined so far.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

5. I have heard the learned counsel for the parties and perused the record carefully.

6. In the present case, the petitioner is stated to be in custody for the last more than 11 months. After completion of the investigation, the challan has been presented against the petitioner but the prosecution has not examined even a single witness so far and the conclusion of the trial may take quite a long time. Thus, further custody of the petitioner will not serve any useful purpose.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

01.05.2025 **(N.S. SHEKHAWAT)**
vipin **JUDGE**

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

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