

2025:PHHC:119691



**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

CRM-M-25254-2025 (O&M)

Reserved on : 27.08.2025

Pronounced on : 04.09.2025

Parambir Singh @ Paramvir Singh @ Nanak and another ...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. G. S. Simble, Advocate
for the petitioners.

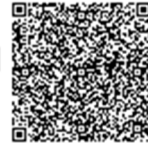
Ms. Sakshi Bakshi, AAG, Punjab.

MANISHA BATRA, J.

1. This petition has been filed by the petitioners under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking regular bail in case bearing FIR No. 50 dated 07.06.2024, registered under Sections 307, 148 and 149 of IPC and Sections 25 and 27 of the Arms Act, 1959 at Police Station Qila Lal Singh, District Batala, District Gurdaspur.

2. As per the allegations, on 06.06.2024, complainant Madan Masih along with his brother Gopi was going towards village Chandumanj on his motorcycle. They had stopped on the way and were drinking water, when the petitioners, who are real brothers, reached there along with three other persons unknown to the complainant. They were on motorcycles. On seeing the complainant, petitioner No. 1 made an exhortation that the complainant should not be left alive. He took out his pistol and opened fire with the same with an intent to kill the complainant. He tried to run away but the bullet hit the back of his right thigh. He had fallen on the ground. Petitioner No. 2 Sundar Singh

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also fired two shots with a pistol carried by him, which hit right side of his chest. Petitioner No. 1 fired two more shots upon him and then they fled away from the spot. The complainant was rushed to the hospital by his brother and was under treatment. The aforementioned FIR was registered on the basis of his statement. Investigation proceedings were initiated. The petitioners were arrested on 12.06.2024. Investigation now stands completed.

3. It is argued by learned counsel for the petitioners that they have been falsely implicated. In fact, petitioner No.1 had performed marriage with the daughter of Jagir Singh, namely Paramjit Kaur, against his wishes. Both of them had filed protection petition before the High Court and had sought protection. The parents of Paramjit Kaur had lodged an FIR and the petitioner had moved a petition for quashing of the said FIR. The parents of wife of petitioner No.1 are influential persons and have got registered false cases against petitioner No.1 and his family members. On 08.02.2023, the family members of Paramjit Kaur had opened attack at the house of the petitioners but they were apprehended by the villagers and were arrested by the police. The present FIR was lodged as a counterblast to the same. In fact, some unknown persons had fired shots at the complainant on 06.06.2024 and the petitioners have nothing to do with them. The complainant and eyewitness Gopi have since been examined before the learned trial Court and have not supported the prosecution version. The petitioners are in custody since long. Their further incarceration would not serve any useful purpose. Hence, it is urged that the present petition deserves to be allowed and the petitioners deserve to be released on bail.

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4. *Per contra*, it is argued by learned State counsel that there are grave allegations against the petitioners and, therefore, they do not deserve to be released on bail. Hence, it is urged that the petition is liable to be dismissed.

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

6. The petitioners are alleged to have formed membership of an unlawful assembly with the co-accused and in prosecution of common object thereof, are alleged to have caused fire arm injury to the complainant with an intent to kill him. The petitioners have placed on record Annexures P-10 and P-11, which are copies of sworn depositions of complainant Madan Masih and eyewitness Gopi, recorded before the learned trial Court. On a perusal of the same, it is revealed that none of them have implicated the petitioners in commission of subject crime as alleged against them. Both of them have turned hostile and have resiled from their statements recorded before the police. The petitioners are in custody since 07.06.2024. Keeping in view the nature of evidence which has come on record in the form of testimonies of the complainant and eyewitness Gopi, the period of incarceration of the petitioners as well as the attendant facts and circumstances of the case, I am of the considered opinion that no useful purpose would be served by keeping the petitioners in custody anymore. Accordingly, the present petition is allowed and the petitioners are ordered to be released on regular bail, subject to their furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

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7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

04.09.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No