

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-28355-2025

Date of decision: 23rd July, 2025

Nanak Singh @ Ladi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

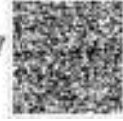
Present: Mr. Amit Arora, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant 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. 132 dated 15.07.2024 registered under Sections 109 and 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Sections 25 and 27 of Arms Act, 1959 at Police Station City Tarn Taran.

2. As per the allegations, on the night of 13.07.2024, the complainant Chamkaur Singh was present at a religious place of his village and came out to attend a call when the petitioner Nanak Singh made an exhortation thereby calling his son Vansh to shoot the complainant and then the accused and the co-accused Vansh fired a shot with a pistol thereby hitting the left leg of the complainant. He thereby fell down. He had sustained injuries by the pellets of the firearm. Clamour being raised by the

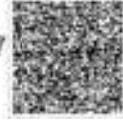


complainant, attracted other persons and then the assailants, who were three in number fled from the spot on a motorbike. He was taken to hospital. The motive as attributed to the petitioner was that about one and half year back, the brother of the complainant had solemnized love marriage with a girl in the family of the petitioner. On the statement of the injured-complainant, FIR was registered. Investigation proceedings were initiated. During investigation, the petitioner was arrested on 09-08-2024. He suffered a disclosure statement admitting his involvement in the crime. The co-accused Vansh @ Princepal was also arrested. Investigation now stands completed and the petitioner is facing trial for commission of aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is delay of 21 days in lodging of the FIR which has created a doubt over the credibility of the prosecution version. No specific injury has been attributed to him. The allegations that he had instigated his son to fire a gunshot upon him are false. He is in custody since 09.08.2024. No recovery has been effected from him. His further incarceration would not serve any useful purpose. Therefore, it is, urged that he deserves to be released on bail.

4. Status report has been filed. It is argued by learned Assistant Advocate General, Punjab, that there are serious allegations against the petitioner. He is a habitual offender, being involved in four more cases of serious nature. There are chances of his absconding or committing similar offences, if extended, benefit of bail. Therefore, it is, urged that the petitioner 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 instigated the co-accused Vansh i.e. his son, to fire a gunshot upon the complainant, thereby causing a firearm injury on his left leg. As per the medico legal report, the injuries so received were caused by pellets. The same have not been opined to be serious in nature. He is in custody since 09-08-2024. No prosecution witness has been examined so far. He is involved in three more cases, but is stated to be on bail in those cases. Trial will take time to conclude. He cannot be denied bail due to his involvement in other cases. It is a well-settled proposition of law that bail is the rule and jail is an exception. In view of the above discussed facts and circumstances, I am of the considered opinion that the petition deserves to be allowed. Hence, the same 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

23rd July, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*