



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-31051-2024 (O&M)
Date of Decision:- 05.02.2025

YUDHVEER SINGH ALIAS YODHA

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Arun Takhi, Advocate for the petitioner.

Mr. Ankit Grewal, DAG Punjab.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 439 CrPC for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
65	04.07.2023	397 IPC; 25 and 27 of the Arms Act; (324, 326, 307, 394, 120-B IPC added later on) (397 IPC deleted vide rapat No.18 dated 08.08.2023)	Haryana, District Hoshiarpur

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He submits that the petitioner is in custody since 01.11.2023 and after the



completion of investigation, challan has been presented in Court. He contends that no specific overt act is attributed to the petitioner and he has been nominated on the basis of disclosure statement of co-accused Manraj Singh and Navjot Singh in another FIR. He contends that the petitioner is not alleged to have fired the shots nor any recovery of weapon has been effected from him. He submits that only a motorcycle has been allegedly recovered from the petitioner with which he has no concern. He submits that co-accused Dalvir Singh @ Bhola has since been granted the concession of bail by this Court vide order dated 04.10.2024 passed in CRM-M-64856-2023, hence prayed for grant of bail to the petitioner.

3. *Per contra*, learned State counsel while referring to the short reply submitted by the State has assailed the arguments advanced by learned counsel for the petitioner on the ground that the motorcycle used in the commission of offence has been recovered from the petitioner. Thus, prays for dismissal of the petition.

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it transpires that admittedly the petitioner is not named in the FIR nor any specific overt act is attributed to him. As per the allegations, four persons with muffled faces came on two motorcycles and fired shots upon the complainant. As per the reply filed by the State, the petitioner was nominated on the disclosure statements made by co-accused Manraj Singh and Navjot Singh in another FIR. It is evident from the perusal of the reply that co-accused Manraj Singh and Navjot Singh had fired shots upon the



complainant at the petrol pump with intent to kill him. As per the reply, the petitioner is having one more case against him, wherein he is on bail. It is worth mentioning that the prosecution has cited 29 witnesses but only one witness has been examined till date. The petitioner is in custody since 01.11.2023 and the criminal liability, if any, of the petitioner, could only be determined after the conclusion of trial, which may take sufficient long time. In the circumstances, no purpose would be served by detaining the petitioner any longer.

6. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

8. Pending miscellaneous application(s), if any, stands disposed of.

(SANJIV BERRY)
JUDGE

05.02.2025
S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No