



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

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**CRM-M No.32044 of 2025
Date of decision : 13.6.2025**

Jobanjeet Singh @ Jobanjit Singh**.....Petitioner****Versus****State of Punjab****.....Respondent****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Gaurav Kalsi, Advocate, for
Mr. H.S. Batth, Advocate, for the petitioner

Mr. Adhiraj Singh Thind, AAG Punjab

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case GD No.28 dated 22.4.2022 under Sections 326, 506, 148, 149 of the IPC, registered at Police Station Gharinda, District Amritsar Rural, which is cross-version of case FIR No.60 dated 15.4.2022, under Sections 307, 148, 149 of the IPC & Section 25 of Arms Act, 1959, registered at Police Station Gharinda, District Amritsar Rural.

2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

'Relevant extract of FIR No.60 dated 15.04.202 u/s 307, 148, 149 IPC



1860, Section 25 Arms Act 1959 PS Gharinda, District Amritsar Rural.

Statement of Lovejit Singh alias Love son of Bairaj Singh resident of Hargobind Avenue, House No. 114. Street No. 1. Near Radha Soami Dera, Ghanupur Amritsar, age about 22 years, Mobile number 97816-75734, stated that I am the resident of the above mentioned address and do agriculture work. We are 2 brothers and I have 2 sisters. Out of which my elder sister Kuldeep Kaur is married and the rest of us are unmarried. My father Balraj Singh son of Sulakhan Singh, upon selling his ancestral property in the year 2016 and bought 8 acres land in village Heir, police station Gharinda. My father has given this land in the name of myself and my brother Prabhjit Singh and mother Paramjit Kaur. Since then, this land is in our possession and we have been cultivating it, we have built a shed in the land and we have kept cattle. Sukhdayal Singh son of Dara Singh resident of Heir having his land adjoining our land. This land is rented out to Harpreet Singh, Harvinder Singh, Gurdev Singh sons Santokh Singh alias Bura resident of Heir. About 9/10 months earlier from today, the passage approaching to my land have been ploughed by Harpreet Singh etc. Due to which, we have been having a dispute with them. On 14-04-2022, I and my brother Prabhjit Singh, my neighbor Simrandeep Singh alias Richi son Kuldeep Singh and my brother-in-law Ranjit Singh son of Puran Singh, resident of Kuharka, had left in our car make Verna bearing registration number PB-09Q-1817. and had gone to the village Heir in the land purchased by us. After feeding and giving waters to cattle, when at about 03:30 PM were going towards our home, when we started crossing the house from the street of Santokh Singh alias Bura street, then we heard the sound of gunfire, when we saw after alighting from the vehicle, then Harvinder Singh alias Hinda armed with datra, Gurdev Singh alias Gora armed kirpan, Harpreet Singh alias Baba Armed stone sons of Santokh Singh alias Bura, Santokh Singh alias Bura empty handed son unknown and his brother-in-law Angrej Singh armed, a 12-bore rifle son unknown, resident of Algon Kothi, district Tarn Taran and 5/6 other unidentified persons alongwith them, out of them 3 armed with rifles. All of them were standing on the roof of Santokh Singh alias Bhura and raising lalkaras. Upon seeing us alighted from the car, Santokh Singh alias Bhuru raised Lalkara and said that today let them not escape, kill them with firing. Angrej Singh has fired straight with his 12 bore rifle from the roof with the intention to kill. One of the pallet hit on the right



side of forehead of my neighbor Simrandeep Singh alias Richi. After that Angrej Singh and unidentified persons have started firing from the roof. We ran away and saved our lives by taking shelter of the brick stalls. Till now, respectable persons were trying to get our matter compromise, which could not be materialized. Today, I alongwith my maternal uncle Tarsem Singh son of Jagir Singh, resident of Veela Teja were coming to inform you. You met us. statement is recorded to you, action may be taken against them. The grudge is that Harpreet Singh, Harinder Singh, Gurdev Singh sons of Santokh Singh alias Bura, resident of Heir have ploughed public passage approaching to our land. Due to which our dispute with them has been going on. Sd/-Lovejeet Singh, attested Sd/- Hardev Singh ASI Police Station Gharinda Date 15.04.2022.'

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 7.4.2025. Learned counsel has submitted that the case in hand is one of version and cross-version. Learned counsel has further argued that there is unexplained delay of 8 days in registering the DDR, which led to the registration of the cross-case against the petitioner. Learned counsel for the petitioner has further argued that no specific injury has been attributed to the petitioner. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 12.6.2025 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 7.4.2025 and is in continuous



custody since then. The completion of the investigation as also the trial resulting therefrom, as and when occasion so arises, will indubitably take its own time. The rival contention made by learned counsel give rise to debatable issues which shall essentially be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence. As per the custody certificate dated 12.6.2025 filed by learned State counsel, the petitioner has already suffered incarceration for a period of two month and four days & is not shown to be involved in any other case.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.



- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.
9. Ordered accordingly.
10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

13.6.2025
Ashwani

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