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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-37442-2024 (O&M)
Date of Decision:- 05.02.2025

NAVRAJ SINGH ALIAS NAV

Versus

....Petitioner(s)

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Jagdish Singh Mahal, Advocate for the petitioner.
Mr. Ankit Grewal, DAG Punjab.

SANJIV BERRY, J. (ORAL)

1. Status report dated 10.12.2024 filed in the form of an affidavit of Deputy Superintendent of Police, P.B.I. NDPS, Tarn Taraan, District Tarn Taran, is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.
2. Arguments heard.
3. The instant petition has been preferred by the petitioner under Section 483 Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
30	14.03.2024	307, 384, 506, 34 IPC; 25 and 27 of the Arms Act,	Sadar Tarn Taran, District Tarn Taran

4. 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 contends that the petitioner was not named in the FIR and has been nominated on the supplementary statement of complainant-Jasbir Singh that too after 45 days of lodging of the FIR. He further contends that no specific overt act has been attributed to the petitioner and after the completion of investigation, challan has been presented in Court. He submits that the petitioner is in custody since 29.04.2024 and during the course of trial, the complainant-Jasbir Singh has been examined as PW-1, wherein he has given clean chit to the petitioner by saying that the accused produced through VC are not the same persons who had fired shots on him on the date of occurrence. He further submits that there is no other material witness to the occurrence and the prosecution has cited 11 witnesses and only one has been examined till date. Thus prayed for grant of concession of bail to the petitioner.

5. *Per contra*, learned State counsel submits that while referring to the short reply filed by the State submits that the petitioner along with co-accused had fired shots on the complainant with intent to kill him, however, the complainant managed to save his life. He contends that the petitioner has been specifically named by the complainant in the supplementary statement and as such he is not entitled to the concession of bail.

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

7. After considering the rival contentions and perusing the record, it transpires that the FIR was registered on the complaint made by Jasbir Singh that on 27.02.2024, he received a WhatsApp call demanding ransom



and again received another call after a few days to which he did not pay any heed. However, on 14.03.2024 at about 12:55 PM, when he was sitting in his shop, two persons with muffled faces riding a motorcycle came there and started firing shots towards the complainant. The complainant lied down on the floor, as a result of which, he got saved. After the registration of the FIR on 14.03.2024, the complainant suffered a supplementary statement on 29.04.2024, naming the petitioner as one of the accused. The petitioner was arrested on the same very day and since then he is in custody. After the completion of investigation, challan has been presented in the Court and during the course of trial, the complainant appeared as PW-1 and has categorically stated that the accused produced through V.C. in Court are not the persons who had fired shots upon him. He has even gone to the extent that he has seen the accused produced in Court for the first time and had never given any statement against them. It has been submitted by learned State counsel that the complainant happens to be the only material witness to the occurrence and so far as the identification of the petitioner is concerned, the complainant has turned hostile. As stated above, out of 11 witnesses cited by the prosecution, only one has been examined till date, 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.

8. 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.

9. Any observation made above shall not be construed as opinion of this Court on the merits of the case.
10. 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