



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

CRM-M-34862-2025 (O&M)

Date of Decision: 23.07.2025

RANDEEP SINGH

...Petitioner

V/S

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. K.S. Kahlon, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG Punjab.

Mr. Vipin Mahajan, Advocate for the complainant.

HARPREET SINGH BRAR J. (Oral)

1. This is the first petition filed under Section 482 of Bhartiya Nagrik Suraksha Sanhita, 2023 seeking grant of anticipatory bail to the petitioner in case bearing FIR No. 043 dated 09.05.2025 (Annexure P-1) registered under Sections 109, 115(2), 3(5), 351(2) and 351(3) of Bhartiya Nyaya Sanhita, 2023 (hereinafter to be mentioned as 'BNS') (wrongly mentioned as 'BNSS' in the petition) and Sections 25/27/54/59 of Arms Act at Police Station Ghanie Ke Bangar, District Batala.

2. Learned counsel for the petitioner *inter alia* contends that petitioner has been falsely implicated in the FIR(supra) and he fired shots in the exercise of his private defence only when the complainant party challenged the petitioner and first fired shots upon the petitioner and he miraculously saved himself and the shots fired by the complainant hit his gate. After hearing the fire shots, 13 years old son and 80 years old father of the petitioner came out along with the petitioner and in order to ensure the safety of his family members, the petitioner only acted in self defence and fired shots only in the air. Further, the injuries suffered by the injured must



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have been a result of the fire made by the complainant himself, which would have ricocheted from the gate of the house of the petitioner and hit the injured persons. Further, the petitioner has already made a detailed representation (Annexure P-2) regarding registration of the cross-version, however the jurisdictional police authorities are not acting in a fair and impartial manner and no action has been taken on the aforesaid representation, which itself is a violation of the constitution right of the petitioner.

3. Learned State counsel has filed short reply by way of affidavit of Vipin Kumar, Deputy Superintendent of Police, Sub Division Fatehgarh Churian, Police District Batala. The same is taken on record. Registry is directed to tag the same at the appropriate place.

4. *Per contra*, learned State counsel assisted by learned counsel for the complainant vehemently opposes the prayer made by learned counsel for the petitioner and on instructions from SI Narjit Singh submits that the veracity of the allegations made by the petitioner regarding firing by the complainant and hitting the gate of the house of petitioner have been thoroughly examined and no such fire shots having hit the gate of the house of the petitioner have been found. Further, *prima facie*, offence under Section 307 of Indian Penal Code is clearly made out against the petitioner as both the injured suffered fire arm injuries on right flank and shoulder respectively.

5. Having heard learned counsel for the parties and after perusing the record with their able assistance, this Court finds no ground to grant the concession of anticipatory bail to the petitioner in view of the facts and circumstances of the case. Thus, the present petition stands dismissed.

6. Nothing observed hereinabove shall be construed to be expression of an opinion by this Court on merits of the case. The learned Court below is directed to proceed with the matter on its own merits, lest it may prejudice the trial.

23.07.2025	(HARPREET SINGH BRAR)	
Ajay Goswami	JUDGE	
	Whether speaking/reasoned	Yes/No
	Whether reportable	Yes/No