



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

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**CRM-M No.36424 of 2025
Date of decision : 23.7.2025**

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

Present: Mr. J.P. Ratra, Advocate, for the petitioner
Mr. Jasjeet Singh, DAG, Punjab
Mr. Vishal Tartyal, Advocate, for the complainant

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 FIR No.124 dated 7.12.2024, under Sections 109, 324(4), 61(2) of Bharatiya Nyaya Sanhita, 2023 and Sections 25 and 27 of Arms Act, 1959, registered at Police Station Fatehgarh Churian, District Batala.
2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

'Statement of Harpreet Singh son of Tarlok Singh resident of Kala Afgana PS Fatehgarh Churfian, stated that I am resident of above mentioned address and me and my brother Manpreet Singh are doing the business of finance at bus stand Kala Afgana, Dhianpur Road. On dated 07.12.2024, I along with my brother Manpreet Singh were going on my car swift bearing number PB 02 CC 4267 from our home to bus to Kala Afgana for our



personal work, I was driving the car and my brother was sitting on the adjacent seat, at was about 9.30 AM, when we reached about 500 meter near to bus stand Kala Afgana just ahead to Kinder garden school then from behind from the side of Kala Afgana on bolero car bearing number P 06 B 4737 color white came on a high speed and the driver of the car tried to struck the car to our car and the bolero car was out of control and because of that the front mirror was broken and the car was badly damaged, two clean shaven persons were sitting in the car and the car was driven by Money son of Rachpal Singh alias Lalli resident of Lakhoke Distt fezozpur and Gurwinder Singh son of Davinder Singh resident of Sakroli (Mahalpur) was sitting adjacent to him, on seen us the driver of the car step down from his bolero car fired two shorts from his pistol towards us with intension to kill my brother Manpreet Singh and the person sitting adjacent seat of the bolero car sat down from the seat, the fire pierced from the front glass and hit on the front seat on the left door from internal side and my brother was per chance saved, me and my brother raised alarm mar dita mar dita then mony and Gurwinder Singh ran away from the spot along with car, the occurrence has been seen by my brother Manpreet Singh, the motive of the occurrence is that our neighbor Taranjeet Singh alias Tanu son of Ladhi r/o Chihrowal, we both was having the work of finance and because of increasing our business he was having personal enmity, today the fire which was short by mony, has been done at the instance of Tranjeet Singh alias Tanu, today I along with my brother Manpreet Singh son of tarlok Singh was coming to you for given the information, you met us action be taken sd Harpreet Singh sd Manpreet Singh attested SI/SHO Lakhwinder Singh PS Fetehtarh Churian dated 07.12.2024.'

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 18.4.2025. Learned counsel has further argued that there was a money dispute between the petitioner and the FIR-complainant on account of which the present petitioner has been falsely implicated into the FIR. Learned counsel has further submitted that the allegations of opening fire upon the complainant is against one Mantej



Singh @ Mani with whom the FIR-complainant entered into a compromise/settlement and the said Mantej Singh has been extended the concession of interim bail vide order dated 27.5.2025. 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 22.7.2025 in Court, which is taken on record.

4.1 Learned counsel for the complainant has vociferously opposed the grant of bail on the ground that there are serious allegations against the petitioner, hence, he ought not to be extended the concession of regular bail. Learned counsel has further submitted that there is another FIR pending against the petitioner under the Arms Act and thus, it is clear that the petitioner is a habitual offender. On this ground learned counsel for the complainant seeks dismissal of the petition.

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

6. The petitioner was arrested on 18.4.2025 whereinafter investigation was carried out and challan stands presented on 19.7.2025. Total 13 prosecution witnesses have been cited but none has been examined till date. The rival contentions raised at Bar, including the stand of false implication as also the veracity/weightage required to be attached to the compromise stated to have been arrived at between the complainant



and co-accused; shall be gone into 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.

6.1 As per custody certificate dated 22.7.2025 filed by learned State counsel, the petitioner has already suffered incarceration for a period of about more than three months. As per the said custody certificate, the petitioner is stated to be involved in one more FIR under the Arms Act. Indubitably, the antecedents of a person are required to be accounted for while considering a regular bail petition preferred by him. However, this factum cannot be a ground sufficient by itself, to decline the concession of regular bail to the petitioner in the FIR in question when a case is made out for grant of regular bail *qua* the FIR in question by ratiocinating upon the facts/circumstances of the said FIR. Reliance in this regard can be placed upon the judgment of the Hon'ble Supreme Court in *Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586*; a Division Bench judgment of the Hon'ble Calcutta High Court in case of *Sridhar Das v. State, 1998 (2) RCR (Criminal) 477* & judgments of this Court in *CRM-M No.38822-2022* titled as *Akhilesh Singh v. State of Haryana*, decided on 29.11.2021, and *Balraj v. State of Haryana, 1998 (3) RCR (Criminal) 191*.

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

23.7.2025

Ashwani

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No