



**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-39929-2025

Date of Decision:-19.08.2025

Rashpal Singh @ Palu.

.....Petitioner.

Vs.

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Vikas Gupta, Advocate for the Petitioner.

Mr. Harkanwar Jeet Singh, AAG Punjab.

JASJIT SINGH BEDI, J.(ORAL)

The Prayer in this petition under Section 483 BNSS is for grant of the grant of regular bail to the petitioner in case FIR No.35 dated 27.03.2025 under Sections 109, 304(2), 3(5) and 317(2), 238 (added later on) BNS, 2023 and Section 25 of Arms Act registered at Police Station Verowal, District Tarn Taran.

2. The present FIR came to be registered at the instance of Santokh Singh and reads as under:-

“ Statement of Santokh Singh S/o Gurmukh Singh, resident of Fatehpur Badesa, Police Station Verowal, District Tarn Taran, age about 52 years, Mobile No. 62835-72173, stated that I am resident of the above-mentioned address and run a chicken shop in front of Miyawin Hospital. I have four sons. My youngest son namely Rajbir Singh, aged about 22 years, had gone to Dubai about one and a half months ago for labour work and he was unable to adjust there, he returned yesterday, i.e., on 26.03.25. To pick him up, I went to



Amritsar Airport on my motorcycle bearing number PB46-V-7407, make Splendor, colour black. After picking up my son namely Rajbir Singh, we were returning to our village Fatehpur Badesa. My son was riding the motorcycle, and I was sitting behind holding his luggage. At around 10:40 PM, when we were little behind Rohi Dhota bridge, two young men came from behind on a motorcycle. Their faces were covered. They came parallel to our motorcycle, showed us a pistol, and stopped us. They said, "Give us whatever you have." They snatched our mobile phone and kit. In the kit, there was passport of my son Rajbir Singh and Rs. 5,000/- cash. I told them that there is the passport of my son in the kit and requested them to return it. They said they wanted our motorcycle too. We got down from the motorcycle, and my son tried to grab the young man sitting on the motorcycle with the pistol. The young man with the pistol fired with the intent to kill my son namely Rajbir Singh. The bullet hit near his left thigh. My son fell to the ground. Both robbers took our motorcycle, the kit, and mobile and fled. Then I picked up my son and, with my support, took a mobile phone from a passerby and called my elder son namely Dilbagh Singh. After some time, my son namely Dilbagh Singh reached the spot, arranged the vehicle and admitted Rajbir Singh to Civil Hospital, Khadoor Sahib. After giving first aid, the doctors referred him to Guru Nanak Dev Hospital, Amritsar, Due to lack of care there, we admitted him to Kartar Hospital, Majitha Road, Amritsar, where he is under treatment. Leaving the rest of the family with my son, I, along with my son namely Dilbagh Singh, came to the police station and I met you. Statement has been recorded, heard and is correct. Legal action should be taken against the unknown persons. Statement by: Santokh Singh."

3. During the course of the investigation it transpired that the weapon used in the occurrence had been purchased from the petitioner.
4. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. Taking the allegations to be correct, the offence if any is made out is under the Arms Act. As the petitioner is in custody since 28.03.2025, but none of the 17



prosecution witnesses have been examined so far the trial of the present case is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail.

4. The learned counsel for the State on the other hand has filed short reply by way of affidavit of Mr. Riputapan Singh Sandhu, PPS, Superintendent of Police-SDPO (City) Tarn Taran, District Tarn Taran in the court today, which is taken on record. While referring to the said reply he contends that the petitioner is the supplier of the weapon used in the occurrence. The allegations levelled against him do not entitle him to the concession as prayed for. He however concedes that the petitioner is in custody since 28.03.2025 and none of the 17 have been examined so far.

5. I have heard the learned counsel for the parties.

6. The veracity of the prosecution case against the petitioner and his co-accused shall be adjudicated upon during the course of the trial. Admittedly, the petitioner is stated to be in custody since 28.03.2025 and none of the 17 prosecution witnesses have been examined so far. Therefore, his further incarceration is not required.

7. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-**Rashpal singh @ Palu** son of Sh. Manjit Singh is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. If the petitioner or any of his family members/associates make any attempt to contact/threaten/intimidate the witnesses in the present case, the State would be at liberty to move an application for cancellation of bail granted vide this Court.

9. In addition, the petitioner (or anyone on his behalf) shall



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prepare an FDR in the sum of Rs.1,00,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioners from trial without sufficient cause.

10. The petitions stand disposed of.

(JASJIT SINGH BEDI)
JUDGE

August 19, 2025
Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>