



CRM-M-42218-2025(O&M)

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

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CRM-M-42218-2025(O&M)
Decided on :11.11.2025

Gurpreet Singh

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Aditya Sanghi, Advocate
Mr. Rajiv Goel, Advocate
Mr. Pradeep Bhardwaj, Advocate for the petitioner.

Mr. Amish Sharma, Asst. A.G, Haryana.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of the *Bharatiya Nagarik Suraksha Sanhita* (BNSS), seeking grant of regular bail in case First Information Report (FIR) No. 03 dated 02.01.2025, registered under Sections 109/109(1), 238(A), 249(b), and 61/61(2) of the BNS, as well as Sections 25/54/59 of the *Arms Act*, at Police Station Sirsa City, District Sirsa.

2. As per allegations in the present case, petitioner-Gurpreet Singh, fired two shots, one of which struck Manjeet Singh on his right thigh.

3. After hearing learned counsel for the parties for some time on 08.08.2025, this Court passed the following order:



“ *Prayer in the present petition, filed under Section 483 of the BNSS, 2023, is for grant of concession of regular bail during the pendency of the trial to the petitioner-Gurpreet Singh, who has been booked in a criminal case arising out of FIR No. 03 dated 02.01.2025 under Sections 109/109(1), 238(A), 249(b), 61/62(2) of BNS, 2023 and Sections 25/54/59 of the Arms Act, Police Station Sirsa City, District Sirsa, Haryana.*

Notice of motion.

Mr. Amish Sharma, AAG, Haryana appears and accepts service of notice on behalf of the respondent-State and has filed custody certificate in the Court today and the same is taken on record.

The facts alleged in the present case are that the petitionerGurpreet Singh fired two shots and one of it hit on the right thigh of Manjeet Singh, which is a non-vital part of the body. Petitioner is stated to have been discharged from the hospital within two days of hospitalization and is living his normal day to day life.

The petitioner was arrested on 24.01.2025 and since then he is inside jail. The proceedings before the learned Trial Court for recording of the witnesses is fixed for 05.09.2025.

Adjourned to 10.11.2025

Prosecution and learned trial Court are directed to ensure the recording of statement of the injured-material witness(s) before the next date of hearing.

In the meantime, status report be also filed by the learned State Counsel.”

4. Mr. Aditya Sanghi, Advocate, has produced a copy of the statement of injured-Manjeet Singh, who has not even supported the case of the prosecution. Copy of the statement of the said witness (PW1) is taken on record. Registry is directed to tag the same at appropriate place in the paper-book.

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5. Learned counsel for the petitioner further argued that petitioner is in custody for a period of last nine months, and, since the star witness has turned hostile, there is no justification for detaining the petitioner any longer, therefore, prays for grant of bail

6. On the other hand, learned State Counsel, while filing the custody certificate and status report, submits that petitioner is involved in another criminal case, i.e., FIR No. 175/2021 under Sections 147, 148, 149, 323, 427, and 452/506 IPC, registered at Police Station City Sirsa, District Sirsa. However, it is confirmed that petitioner is in custody for a period of last nine months and eleven days, and in the other case (FIR No. 175/2021, supra), petitioner is in jail and trial is still pending adjudication.

7. Referring to paragraph No. 4 of the status report, learned State Counsel further submits that, as per the CCTV camera installed at the place of the incident, it is specifically noticed that Channa Ram, Pritam Singh, Nanak, Rahul, and several other persons from the locality, along with one lady named Biba and two children, had gathered in the street and were talking to each other. In the meantime, two persons, namely Manjeet and Sukhwinder @ Kalu, arrived on a motorcycle, and after a few seconds, petitioner-Gurpreet Singh, fired at the complainant, hitting him on the right thigh.

Learned State Counsel therefore submits that the active role of the petitioner is clearly recorded in the CCTV footage, and



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consequently, prayer for bail is misconceived and the petitioner is not entitled for release on bail.

8. I have heard learned counsel for the parties and have perused the paper-book along with the custody certificate and status report submitted.

9. Undisputed facts in the case are that petitioner-Gurpreet Singh, fired two shots with the pistol he was carrying. One of the shots did not cause any harm, while the other struck Manjeet Singh on the right thigh, which is admittedly a non-vital part of the body. Therefore, it is likely to be an arguable issue before the learned Trial Court, whether petitioner, who was in a position to aim at any vital part of the unarmed victim but did not, had or not the intent to cause murder. In the absence of any overt act indicating such intent, it cannot be definitively concluded that by firing the shot on the right thigh, petitioner is liable to be convicted and sentenced under Section 307 IPC (read with Section 109 of BNS).

Further, injured-Manjeet Singh, while appearing as a witness, has completely denied identifying the petitioner. He deposed that petitioner, along with other co-accused Raj Kumar and Sonu @ Sukhjeet Singh, ***“are not the actual culprits who fired upon me.”***

In view of the above, coupled with the fact that the petitioner is in custody for over nine months and charges are yet to be proved, this Court deems it appropriate to consider the plea of the petitioner.

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Consequently, present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

10. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

11. It is further made clear that if, in future, the petitioner is found to be directly involved in similar activities, the prosecution would be at liberty to seek cancellation of bail.

12. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

11.11.2025*Rashmi**Whether speaking/reasoned: Yes/No**Whether Reportable: Yes/No*