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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-42780-2025
Decided on : 28.08.2025

Jaswinder Singh alias Jass . . . Petitioner(s)

Versus

State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Rahi Mehra, Advocate
for the petitioner(s).

Mr. Bareen Partap Singh, AAG, Punjab

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Jaswinder Singh alias Jass	100	21.02.2025	109 of BNS, 2023 and 25 of the Arms Act, 1959 [S. 346 added later on vide report No.30, dated 28.05.2025 and vide report No.05, dated 09.05.2025, Sections 324/132/221 of BNS, 2023 added)	Goindwal Sahib	Tarn Taran

2. Learned counsel for the petitioner contends that the petitioner belongs to a respectable family, as his father, grandfather, and great-grandfather have served the nation with dignity, having been retired from the Indian Army. Presently, the petitioner’s brother is also serving in the Indian Army as a sepoy.

Further submits that a false case has been planted against the



petitioner, alleging that he fired at the police party. However, it is an admitted fact that no injury was caused to anyone. Thus, the case in hand is essentially one of firing a shot without causing any injury. It is further pointed out that the petitioner has been in custody for the last about 05 months and 09 days, and in fact, he himself suffered a bullet injury in his ankle during the occurrence, which, as alleged, was caused at the hands of the police personnel. The said bullet was extracted from his body after about 07 days of the incident.

3. Learned counsel also submits that the petitioner has no criminal background and the process of recording of prosecution witnesses has not even commenced. Moreover, whether the allegations levelled by the police team are true or otherwise, can only be ascertained during the course of trial, at the stage of prosecution evidence. As far as recovery is concerned, one pistol, along with one live round inside the chamber and another live round in the magazine, already stands recovered.

Since nothing further remains to be recovered from the petitioner, his continued incarceration will serve no fruitful purpose for the prosecution. Hence, learned counsel for the petitioner prays for the grant of regular bail.

4. *Per contra*, learned State counsel, while opposing the prayer for bail, submits that serious allegations stand levelled against the petitioner, as he allegedly fired at the police party with an intention to cause harm to them. The very act of firing at the law enforcement authorities itself reflects a grave offence and cannot be taken lightly, therefore, the petitioner does not deserve the concession of bail at this stage.



However, learned State counsel very fairly concedes the factual assertions made here-above by learned counsel for the petitioner.

5. I have heard learned counsel for the parties and perused the material available on record. Admittedly, no injury was caused to any police official in the alleged firing incident, and the petitioner himself is stated to have suffered a bullet injury on his ankle, which was subsequently removed after about seven days. The trial is yet at its initial stage, as the statements of the prosecution witnesses have not even commenced. The alleged recovery, i.e., one pistol with two live rounds (one in the chamber and one in the magazine), already stands effected, and nothing further is to be recovered from the petitioner.

Considering that the petitioner has been in custody for about 05 months and 09 days, has no previous criminal background, and also keeping in view that the trial is likely to take considerable time to conclude, this Court is of the considered view that further incarceration of the petitioner would serve no meaningful purpose. Accordingly, this Court finds it to be a fit case for the grant of regular bail to the petitioner.

6. Consequently, prayer made in the 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.

7. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.



8. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.
9. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

August 28, 2025
J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No