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

**CRM-M No.47775 of 2025
Date of decision : 03.09.2025**

Sukhchain Singh @ Mongli and another

.....Petitioners

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Karanjeet Singh Brar, Advocate
for the petitioners.

Mr. Raj Karan Singh, Asstt. A.G., Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed praying for the grant of regular bail to the petitioners in case bearing FIR No.69, dated 18.04.2024, under Sections 224, 341, 506, 353, 186, 34, 120-B of IPC, 1860 and Sections 25 (1AB), 25(6), 25, 27 of Arms Act (Sections 212, 216 of IPC added later on vide rapat No.47, dated 25.04.2024), registered at Police Station City Tarn Taran, District Tarn Taran.

2. Succinctly the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Gursher Singh. It was alleged that on 15.04.2024, jail staff arrested the accused, namely, Charanjit Singh @ Raju, who was confined in Goindwal Sahib Jail in FIR No.172/2023, under Sections 307, 186, 427, 34 of IPC and Sections 25, 54,



59-A of Arms Act, registered at Police Station Jhabal. As Charanjit Singh @ Raju was to be operated, he was taken to Civil Hospital, Tarn Taran in police custody. He was being guarded in the ward of the hospital. The keys of the handcuffs were with the guards only. In the night, at about 02:10 A.M., Gulab Singh, son of Karam Singh along with 02 other unknown persons entered the room and he fired at the complainant. Thereafter they forcibly took out the keys of handcuffs from his pocket and got freed the accused, namely, Charanjit Singh @ Raju. All of them took away Charanjit Singh @ Raju on the motorcycle. Thus the request was made to take legal action against the culprits. On registration of the FIR, the investigation commenced. During the investigation, complicity of the petitioners surfaced and thus they were also arrayed as an accused in the present case. Resultantly, both the petitioners were arrested on 25.04.2024. The petitioners approached the Court of learned Additional Sessions Judge, Tarn Taran praying for the grant of bail, however after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Tarn Taran declined the bail application filed by the petitioners vide order dated 05.04.2025. Hence being aggrieved, the petitioners are before this Court by way of filing the present petition praying for the grant of regular bail.

3. Learned counsel for the petitioners has vehemently contended that the petitioners have been falsely implicated in the present case. He has submitted that as per the case of prosecution itself, it was found during the investigation that the persons, who allegedly attacked the guard, in whose custody, Charanjit Singh @ Raju was there, were other co-accused



and not the petitioners. He has submitted that however the petitioners have been alleged to have harboured the prisoner, namely, Charanjit Singh. He has submitted that the petitioners are behind bars since the date of their arrest, i.e. 25.04.2024. He has submitted that the investigation is already complete and the charges have been framed and thus, in the facts and circumstances, the petitioners deserve to be granted bail.

4. *Per contra*, learned counsel for the State however has vehemently opposed the submissions made by counsel for the petitioners. He has submitted that Charanjit Singh @ Raju was a habitual offender and the petitioners, in conspiracy with the co-accused, have helped Charanjit Singh @ Raju, to escape from the police. He has submitted that the investigation is complete and the challan has been presented. He, on instructions, has submitted that in all there are 15 accused and out of them, 12 have been arrested. He has produced custody certificate of the petitioners today in the Court and the same is taken on record.

6. Heard.

7. After hearing learned counsel for the parties and perusing the record, it has transpired that the occurrence in the present case has taken place on 15.04.2024. The petitioners have been alleged to have harboured the prisoner, Charanjit Singh @ Raju and the accused, who entered the hospital ward and attacked the police officials were other co-accused and not the petitioners. Custody certificate produced would show that the petitioners have completed the incarceration of 01 year, 04 months and 02 days as on 02.09.2025. Custody Certificate further shows that the petitioner, namely, Sukhchain Singh @ Mongli is involved in 01 more



case, however the petitioner, namely, Harmesh Singh @ Chichu is not involved in any other case. Out of total 15 accused, 12 have been arrested. As submitted before this Court, the challan is presented and charges have been framed.

8. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

9. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides and perusing the record, the Court is of the opinion that learned counsel for the petitioners succeed in making out a case for the grant of bail. Accordingly, the present petition is allowed and the petitioners are ordered to be released on bail on their furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

10. However, if the petitioner, namely, Sukhchain Singh @ Mongli does not furnish the bail bonds within seven days from today, then his further custody period after one week will not be counted in this case.

(RAJESH BHARDWAJ)
JUDGE

03.09.2025

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