



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

CRM-M-51122-2024 (O&M)
Date of decision: 19.02.2025

Rajinder Pal Chohan

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Shiv Kumar Sharma, Advocate for the petitioner.

Mr. J.S. Dhaliwal, AAG, Punjab.

Mr. Ishaan Gupta, Advocate for the complainant.

KARAMJIT SINGH, J. (ORAL)

CRM-7171-2025

For the reasons given in the application, the same is allowed and statement of PW-4 Bobby Mehra dated 28.01.2025 Annexure P-11 is directed to be taken on record.

CRM-M-51122-2024

1. The present petition has been filed by the petitioner under Section 483 of BNSS 2023 seeking grant of regular bail in criminal case having FIR No.31 dated 10.03.2024, under Sections 307, 323, 324, 506, 148, 149 of IPC and Sections 25/27 of Arms Act, Police Station Sadar, District Sangrur (Sections 325/201 of IPC and Section 30 of Arms Act was added later on).
2. The allegations in nutshell are that complainant Ashwani Kumar was having partnership with Davinder Singh son of the present petitioner and one Banita Rani @ Vinita. However, subsequently dispute arose amongst the partners and at the time of occurrence, petitioner caused



fire arm injury to Bobby Mehra in his leg. The other accused persons also attacked the complainant party. During investigation, the petitioner was arrested.

3. The counsel appearing on behalf of the petitioner inter alia submits that the petitioner is falsely implicated in the present case and has nothing to do with the business run by his son Davinder Singh. It is further submitted that the entire prosecution case is full of contradictions. That as per allegations in the FIR, at the time of occurrence, the petitioner was armed with pistol. However, as per depositions of complainant and Bobby Mehra, the petitioner was armed with gun at the time of occurrence. It is further submitted that the petitioner is incarcerated for a period of about 9 months and all the injured and complainant stand examined during trial. However, it will take for the trial to conclude and as such, no purpose is going to be served by keeping the petitioner in custody for any longer period.

4. The present petition is resisted by the State counsel as well as counsel for the complainant, both of whom have submitted that there are specific allegations against the petitioner that he caused fire arm injuries to Bobby Mehra at the time of occurrence. It is further submitted that the petitioner is the main accused. However, the State counsel has not disputed the fact that the petitioner is in custody for the last about 9 months and is not involved in any other criminal case of similar nature and that during trial, all the material witnesses are examined. However, prosecution is still to examine other 16 witnesses.

5. The counsel appearing on behalf of the complainant submits that Davinder Singh son of the petitioner and one Arshpreet Singh who are also specifically named in the FIR are absconding and they are extending threats to cause harm to the complainant and other eye witnesses. He made prayer that the said witnesses be provided protection by the police.

6. I have considered the submissions made by counsel for the parties.

7. As per prosecution version, the present petitioner caused fire arm injury on a leg of Bobby Mehra. During investigation, the petitioner was arrested by the police and is behind bars for the last about 9 months and



is not involved any other case of similar nature. Admittedly, during trial, complainant and other material witnesses including Bobby Mehra are examined against the present petitioner. It being so, there is no apprehension that if released on bail, the petitioner is going to influence the key witness including Bobby Mehra who suffered fire arm injury on his leg. It is also apparent that till date prosecution is able to examine only 10 witnesses out of total 26 witnesses and it will take time for the trial to terminate. Having regard to the aforesaid facts and circumstances, no gainful purpose is going to be served by keeping the petitioner in custody for any longer period.

8. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9. As co-accused Davinder Singh and Arshpreet Singh are stated to be absconding and are extending threats to the complainant and other material witnesses, SSP, Sangrur is hereby directed to look into the matter and in case, there is any threat perception to the key witnesses then to take necessary steps in this regard in accordance with law to protect their life and liberty from the hands of Davinder Singh and Arshpreet Singh, who are evading their arrest in the present case, till date.

19.02.2025

Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No