



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

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CRM-20891-2025 in/and
CRM-M-54129-2024 (O&M)
Date of decision: May 21st, 2025

Sharanbir Singh @ Sharan @ Shana

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Gursimran Singh Bawa, Advocate
for the petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

Mr. Vikrant K. Vij, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

CRM-20891-2025

Prayer in this application is for placing on record the zimni orders in compliance of order dated 27.03.2025.

Application is allowed subject to just exceptions.

Annexures A-1 to A-10 are taken on record.

CRM-2749-2025

Prayer in this application is for grant of interim bail to the petitioner to attend the wedding of his brother.

Learned counsel for the petitioner submits that the instant application has been rendered infructuous as the marriage of petitioner's brother was scheduled to be held on 01.02.2025.

Dismissed as having been rendered infructuous.

CRM-M-54129-2024

This is the second petition filed by the petitioner seeking the concession of regular bail in FIR No.122 dated 23.05.2021 registered under Sections 307, 120-B, 148, 149 of the Indian Penal Code, 1860 and Sections 25, 27 of The Arms Act, at Police Station Chattiwind, District Amritsar Rural.

2. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case and has now been in custody since 16.08.2023. It has been argued that although the FIR (Annexure P-1) contains allegations of the petitioner having discharged firearm shots resulting in injuries to three individuals, such action was allegedly taken in self-defence, as the petitioner was under imminent threat from a gathering of villagers. It has further been contended that the petitioner has no previous criminal antecedents and that the trial has not made any progress, as none of the 28 witnesses cited have been examined so far. On these grounds, the petitioner seeks the concession of bail.

3. *Per contra*, learned State counsel, on instructions from ASI Lakhwinder Singh, has not disputed the custody period of the petitioner nor has he disputed the stage of trial. However, he has vehemently opposed the prayer made for extending the concession of bail by inviting the attention of this Court to the specific allegations contained in the FIR. He submits that the contents of the FIR reveal that on 23.05.2021, the petitioner along with several co-accused arrived at the scene armed with lethal weapons and proceeded to assault the

complainant and his associates. During the said altercation, the petitioner is specifically attributed the role of having fired at three persons-Jaskaran Singh (chest), Rajbir Kaur (right leg), and Gursewak Singh (groin area), causing them grievous firearm injuries. It is further alleged that the assailants fled from the spot in a vehicle after the incident.

4. Learned State counsel has argued that the nature of injuries, the use of firearms, and the coordination among the accused point towards a premeditated act rather than a spontaneous act of self-defence, as suggested by the learned counsel for the petitioner. It has also been brought to the notice of this Court that one of the co-accused has since been declared a proclaimed offender, raising serious apprehensions regarding the conduct of the petitioner also, if released on bail. Moreover, contrary to the submissions made by the learned counsel for the petitioner, it has been submitted, on instructions, by the learned State counsel that the petitioner is an accused in another pending case under the NDPS Act, thereby negating the claim of the petitioner of clean antecedents.

5. I have heard learned counsel for the parties and perused the relevant material on record.

6. At this stage, the Court is not expected to assess the evidence in detail but must be satisfied that the allegations are not so frivolous as to warrant release, especially when they are of a grave nature. In the instant case, a perusal of the FIR reflects that the petitioner, in concert with other accused persons, allegedly participated in a violent and armed assault that resulted in serious injuries to multiple

victims. The injuries are not superficial or accidental but targeted at vital parts of the body such as the chest, lower abdomen, and limbs, *prima facie* indicating an intention to cause fatal harm. The FIR stands reproduced hereinunder:

“Statement of Lovejeet Singh son of Pargat Singh resident of Bhinder Colony Guruwali aged about 27 years 99149-75643 Stated that I am a resident of the above-mentioned address I am doing the business of dairy at 65 Kille Fatahpur. We are having a dispute with Bakshish Singh @ Nikka Son of Subeg Singh resident of Rhinder Colony Guruwali and Curdev Singh @Goldy son of Sukhdev Singh resident of Bhinder Colony Guruwali. Today also a thief was caught by the villagers due to which we had a brawl with them. Due to the death of my father Pargat Singh, my maternal uncle son namely Gursewak Singh son of Kulwant Singh started residing with us. Today on 23.05.2021 around 6:50 PM Gurdev Singh @ Goldy and Bakshish Singh @ Nikla had called Amritpal Kahlon resident of near Ganda Nala Tarn Taran Road, Bharpoor Singh resident of Chakki Wali Gali Kot Mit Singh Amritsar, Joban Singh resident of Naushehra Dhala and two unidentified persons through Sharanbir Singh @ Sanna son of Angrej Singh resident of Bhinder Colony Guruwali at Bhinder Colony Guruwali where all of them started beating me near Gurdwara Sahib. In the meantime, Jaskaran Singh Sabba son of Surjit Singh, Rajbir Kaur wife of Pargat Singh residents of Bhinder Colony Guruwali and Gursewak Singh son of Kulwant Singh resident of Kasel came forward to rescue me along with other persons of the village. Then Sharanbir Singh @ Sanna with the intention to kill us had fired direct gunshots towards One of the gunshot hit on the chest of Jaskaran Singh and the second gunshot hit the right leg of Rajbir Kaur.

Then all the accused began to run and while running Sharanbir Singh had fired a gunshot which hit on the testicles of Gursewak Singh. When we raised hue and cry then all the above mentioned persons ran away from the spot along with their weapons by sitting in their white car. I and Arshdeep Singh son of Manjitpal Singh resident of Guruwali had arranged a vehicle and got Jaskaran Singh, Gursewak Singh and Rajbir Kaur admitted to the civil hospital but the doctors have referred all three of them to Gur Nanak Dev Hospital Amritsar but due to the patients of Corona Virus, Guru Nanak Dev Hospital had sent us to private hospital. Then we got admitted them in KD hospital Circular Road Amritsar where they got treated. I was coming to inform you, but you have reached KD Hospital Amritsar. Legal action should be taken against the persons.”

7. Furthermore, the argument of self-defence, raised by the learned counsel for the petitioner, is a matter of trial and cannot be adjudicated upon conclusively at this stage while deciding the instant petition, especially in the face of direct and specific allegations in the FIR. This Court cannot also turn a blind eye to the fact that the petitioner was on bail in another case under the NDPS Act at the time of the incident, which hints towards the misuse of the liberty granted to the petitioner in the above case under the NDPS Act.

8. Furthermore, the possibility of the petitioner intimidating or influencing witnesses, or evading trial altogether, cannot be ruled out, especially when one of his co-accused has already absconded. The fact that none of the injured eyewitnesses have been examined so far further weighs against the grant of bail.

9. In view of the gravity of the allegations, the nature of injuries sustained by the injured eyewitnesses and the stage of trial, wherein key witnesses are yet to be examined, this Court does not deem it fit to extend the concession of bail to the petitioner.

10. Accordingly, the instant petition stands dismissed.

11. However, keeping in view the long custody period of the petitioner, the trial Court is directed to get the testimony of the injured witnesses recorded at the earliest and make earnest efforts to conclude the trial expeditiously.

12. It is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

May 21st, 2025
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes