

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-60174-2024 (O&M)
Date of Decision:- 19.05.2025

MALKEET SINGH

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Rajesh Kapila, Advocate for the petitioner.
Mr. Durgesh Garg, AAG Punjab.
Mr. Saurabh Singla, Advocate for the complainant.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 483 BNSS, 2023 for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
81	31.07.2024	109, 115(2), 324(4), 351(2), 191(3), 190 BNS; 25 of the Arms Act [117(2) BNS added later on]	Kalanaur, District Gurdaspur

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that neither any specific overt act nor any injury by the use of



alleged firearm has been attributed to the petitioner. He submits that the petitioner is in custody since 03.10.2024 and after the completion of investigation, challan has been presented in Court and the conclusion of trial will take considerable long time. Thus, prays for grant of concession of bail to the petitioner.

3. *Per contra*, learned State counsel assisted by learned counsel for the complainant, while referring to the status report filed by the State has opposed the petition on the ground that the petitioner had fired gunshots towards the victim and recovery of licensed pistol along with 10 live cartridges was effected from him. Thus, prays for dismissal of the petition

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it is observed that as per the allegations levelled in the FIR, the petitioner is alleged to have fired gunshots towards the victim. However, admittedly, no injury with alleged gunshots had been caused to anybody in the alleged occurrence. The possible recovery has already been effected from the petitioner. The petitioner is in custody since 03.10.2024 and challan has already been presented in Court. The petitioner is not having any criminal antecedents and the criminal liability, if any, of the petitioner, could only be determined after the conclusion of trial, which may take sufficient long time. In the circumstances, no purpose would be served by detaining the petitioner any longer.

6. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on



bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

8. Pending miscellaneous application(s), if any, stands disposed of.

(SANJIV BERRY)
JUDGE

19.05.2025
S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No