



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

CRM-M-62375-2024

Reserved on: 4th March, 2025

Pronounced on: 7th March, 2025

Sherpreet Singh @ Gulaba

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ruhani Chadha, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J :-

The instant one is the third petition for grant of regular bail as filed by the petitioner in case arising out of FIR No. 75 dated 18.09.2023 registered under Sections 307 and 452 read with Section 34 of IPC and Section 25 of Arms Act, 1959 (Sections 473, 120-B, 148, 149 and 411 of IPC added later on) at Police Station Kalanaur, District Gurdaspur. His first petition bearing CRM-M-No.-22934-2024 was dismissed as withdrawn on 13.05.2024 and second petition bearing CRM-M-No.-36575-2024 was dismissed as withdrawn on 06.08.2024.

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of statement recorded by the complainant Harpreet Singh on 18.09.2023 alleging that on the same day, he was sitting in the *Veranda* of his house at



about 12:50 PM, when three youths reached there. Two of them entered inside the house and made some query from him. Then one of them fired a shot with a pistol, which he was carrying in his hand with an intention to kill the complainant. The bullet hit his left thigh. He fell down and raised clamour. All three of them fled from the spot. He was taken to hospital. He disclosed that he could identify the assailants. After registration of FIR, investigation proceedings were initiated. On 27.09.2023, Harjit Singh, brother of the complainant recorded his statement before the police disclosing the identity of the assailants and disclosed their names as Manpreet Singh, Ramanpreet Singh and Rajpal. He also disclosed that the accused Gursewak Singh had harboured the assailants and had lodged them in Hotel Royal Birla. Offence under Section 120-B of IPC was added. The accused Manpreet Singh and Gursewak Singh were arrested. The petitioner was nominated as an accused on the basis of disclosure statement suffered by accused Gursewak Singh. He was arrested on 24.10.2023 and was identified by the complainant. One pistol and two live cartridges were recovered from him. The co-accused has also been arrested. Investigation stands concluded and the petitioner along with the co-accused is facing trial for commission of aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statement of the co-accused which cannot be considered to be admissible in evidence. He was not named in the FIR by the complainant. No test identification parade of the petitioner was conducted. The assailants named by brother of the complainant have been declared to be innocent. A false recovery has been



planted upon him. The co-accused Pargat Singh @ Panga, Gursewak Singh, Ajay Pal Singh @ Ajay Janga Singh and Ganja have also been extended benefit of regular bail. On parity, he too deserves to be released on bail. He is in custody since 24.10.2023. He is on bail in three other cases as registered against him. Therefore, it is urged that he deserves to be released on bail.

4. Status report has been filed by respondent-State. It is argued by learned Assistant Advocate General, Punjab that there are serious allegations against the petitioner as he is the main accused in the case. He had conspired with the co-accused Gursewak Singh to eliminate father-in-law of the complainant. However, it was Harpreet Singh i.e. brother of his father-in-law, who had been shot at. The petitioner is a habitual offender since as many as six cases have been registered against him, one of which is of similar nature. There are chances of his absconding or intimidating the witnesses, if extended benefit of bail. Trial may be expedited. Therefore, it is urged that the petition does not deserve to be allowed.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner in connivance with the co-accused is alleged to have fired a shot with a pistol upon the complainant Harpreet Singh while assuming him to be father-in-law of co-accused Gursewak Singh. The co-accused Gursewak Singh has since been extended benefit of bail. Even co-accused Pargat Singh @ Panga, Ajaypal Singh @ Ajay and Janga Singh @ Ganja, who had also conspired with the co-accused, have been extended benefit of bail. Trial is likely to take time. His further incarceration would



not serve any useful purpose. The involvement of the petitioner in other criminal cases cannot be considered to be a ground for denial of bail in this case. Keeping in view the discussion as made above, but without meaning to make any comment on the merits of the case, I am of the considered opinion that the petition deserves to be allowed. Hence, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

7th March, 2025

Parveen Sharma

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No