



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.63214 of 2024
Date of Decision: 05.03.2025

Harjit Singh @ Jeeta @ Jiti ... Petitioner

Versus

The State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Lovish Rattan, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
83	30.07.2024	Majitha Road, District Police Commissionerate Amritsar	109, 126(2), 191(3), 190, 118(1), 117 (2) and 118 (2) of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”) and 25 of Arms Act, 1959

2. As per the allegations, on 30.07.2024, the complainant Akashdeep Singh was going towards his house in his car along with his

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friends Krishna and Ajay. When they reached near Taj Mental Hospital, they were intercepted by accused Satmol who stopped the car of the complainant and made an exhortation to teach a lesson to the complainant for assaulting his brother Anmol and ousting him from bus stand. Then the petitioner who was armed with a sword, accused Anmol armed with a datar, accused Satmol having pistol and three unknown persons who were also armed with weapons, dragged the complainant out of his car. Accused Satmol fired a shot with a pistol thereby hitting his elbow of left arm. The complainant fell down. Another shot was fired on the wrist of the complainant by accused Satmol. The petitioner struck blows with sword on the head and left hip joint of the complainant. He was also assaulted by the unknown persons. His friends raised rescue alarm and then all the assailants fled from the spot. The cause of grudge was that some days prior to the incident, a verbal altercation had taken place between the accused Anmol and the complainant. After registration of FIR of this case, investigation proceedings were initiated. The injured Akashdeep Singh was medically examined. The petitioner was arrested on the same day. He suffered a disclosure statement admitting his involvement in the crime and also took the names of the co-accused. He got recovered the sword used by him in commission of the subject offences. The co-accused Anmol and Satmol were also arrested subsequently. Recovery of weapon of offence was made from accused Satmol. Investigation stands completed and challan stands presented in the Court.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since 30.07.2024. Trial

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is likely to take time. The present petition is a counter blast to the complaint submitted by his father against the members of complainant party who had injured him some days prior to the occurrence. The injuries attributed to the petitioner have not been opined to be dangerous to life. The trial would take time. His further incarceration would not serve any useful purpose. He does not have criminal antecedents. Therefore, it is urged that he deserves to be released on bail.

4. Status report has already been filed. Learned Assistant Advocate General, Punjab has argued that there are serious and specific allegations against the petitioner who along with the co-accused had assaulted the victim complainant on the fateful day and had caused as many as nine injuries to the victim. The injuries so sustained were simple as well as grievous in nature. Opinion as to the fact that these injuries were dangerous to life has to be given by the concerned Medical Officer. There are chances of petitioner's intimidating the witnesses or absconding if extended benefit of bail. Therefore, it is urged that he does not deserve to be released on bail.

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

6. The complainant is alleged to have sustained firearm injury at the hands of the co-accused Satmol and some simple as well as grievous injuries at the hands of the petitioner. He is in custody since 30.07.2024. There is no medical opinion as to the injuries being sustained by the victim being dangerous to life. Even so, the firearm injury has not been attributed to



the petitioner. The trial is likely to take time. His further incarceration would not serve any useful purpose. It is well settled proposition of law that bail is the rule and jail is an exception. Keeping in view the above discussed facts but without meaning to make any comment on the merits of the case lest they prejudice the trial, I am of the opinion that the petitioner deserves to be released on bail at this stage. Accordingly, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

05.03.2025
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No