



CRM-M-57549-2025 (O&M) & CRM-M-63239-2025

- 1-

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

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Date of decision: 03.12.2025

1. CRM-M-57549-2025

AMANDEEP SINGH

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

2. CRM-M-63239-2025

ROBINPREET SINGH

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. Lovepreet Singh, Advocate
for the petitioner in **CRM-M-57549-2025**.

Mr. B.B.S. Randhawa, Advocate
for the petitioner in **CRM-M-63239-2025**.

Mr. Gorav Kathuria, DAG Punjab.

YASHVIR SINGH RATHOR. J.(Oral)

1. This order shall dispose of above noted two petitions, as the same have emanated out of the same occurrence.

2. Present petitions under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 have been filed for grant of regular bail to the petitioners in case FIR No.67 dated 01.05.2025, under Section 109 BNS and Sections 25, 54, 59 of Arms Act, 1959, (Section 3(5) of BNS added later on) registered at Police Station Ghuman, District Gurdaspur.

3. Status reports dated 02.12.2025 by way of affidavits of Harish Behal,

**CRM-M-57549-2025 (O&M) & CRM-M-63239-2025**

- 2-

PPS, Deputy Superintendent of Police, Sub Division Sri Hargobindpur, Police District Batala have been filed on behalf of respondent-State in both the cases and the same are taken on record.

4. The present case was registered on the basis of statement given to the police by Sukhdeep Singh with the allegations that he is running a shop near Gurdwara Baba Namdev Gate. On 01.05.2025, at about 8:00 pm, when he along with his son was closing the shop, when three unknown persons came there on a motorcycle. Two pillion riders fired towards the shop, which hit the glass window of the shop and thereafter, they all ran away from the spot. During investigation, Amandeep Singh (petitioner) was arrested on 09.05.2025 and on interrogation he suffered disclosure statement to the effect that he had committed the offence in question and Daljit Singh and Sandeep Singh were also accompanying him. Thereafter, Daljit Singh was arrested and he suffered disclosure statement that one Sumandeep Singh was also involved with them and said Sumandeep Singh was also nominated as an accused. Thereafter, said Sumandeep Singh was arrested and he suffered disclosure statement to the effect that Harmanjot Singh had provided the information about the persons having good business and had done surveillance and thereafter, Harmanjot Singh was nominated as an accused and arrested on 23.05.2025. Akashdeep Singh was also nominated as an accused on the disclosure statement of co-accused Amandeep Singh. Thereafter, petitioner-Robinpreet Singh was nominated on the disclosure statement of Akashdeep Singh. In all, 10 accused were arrested and after completion of investigation, challan has been presented for trial.

4. I have heard learned counsel for the petitioner as well as learned State

**CRM-M-57549-2025 (O&M) & CRM-M-63239-2025**

- 3-

counsel and have gone through the record.

5. Learned counsel for the petitioners contended that petitioners have been falsely implicated. Learned counsel for Amandeep Singh contended that the offence in question was committed by unknown persons and no one has been named in the FIR. The physical features, age, complexion and built of the assailants had also not been mentioned. No test identification parade of the petitioner- Amandeep Singh has been got conducted after his arrest and he has been arrayed as an accused only on the basis of his own disclosure statement, which is not admissible in evidence. Petitioner- Amandeep Singh is in custody since 09.05.2025. Learned counsel for the petitioner-Robinpreet Singh contended that petitioner has been nominated only on the basis of disclosure statement of co-accused Akashdeep Singh, which is not admissible in evidence. Petitioner-Robinpreet Singh was not involved in the incident of firing and the only allegation against him is that he had provided the Googlepay link (UPI code) for transfer of money to Akashdeep Singh on the asking of gangsters. Learned counsel next contended that the challan has already been presented after completion of investigation and the trial is likely to take a long time to conclude and further detention of the petitioners are not required and they may be released on bail.

6. On the other hand, learned State Counsel has opposed the bail and argued that in view of the gravity of the offence, petitioners does not deserve the concession of bail. Learned State counsel further stated that as per said status report offence under Sections 308(5) BNS, 249 (B), 61(2) and 49 of BNS and Section 27/54/59 of Arms Act were added vide DDR No.17 dated 06.08.2025.

7. Offence in question was committed by unknown persons. No one had



CRM-M-57549-2025 (O&M) & CRM-M-63239-2025

- 4-

been named in the FIR. No test identification parade has been got conducted and what will be the effect of withholding of test identification parade shall be the subject matter of trial. No one has suffered any injury and shots were aimed at the window glass and not at the victim, even as per the allegations in the FIR. As such, it will be a debatable question whether offence under Section 109 BNS is attracted or not. As to how much evidentiary value will be attached to the disclosure statement of the co-accused- Akashdeep Singh (with respect to petitioner Robinpreet Singh) and the petitioner's (Amandeep Singh) own disclosure statement shall be the subject matter of trial. Petitioners-Amandeep Singh and Robinpreet Singh are in custody since 09.05.2025 and 07.06.2025 respectively. Challan has already been presented after completion of investigation. Trial is likely to take a long time to conclude and further detention of the petitioners are thus not required and they deserves to be released on bail.

8. Having regard to the aforesaid factual position, but without commenting anything upon the merits of the case, the present petitions are allowed and petitioners are ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court concerned, on usual terms and conditions.

9. A photocopy of this order be placed on the file of the connected case.

10. Pending misc. application (s), if any, shall also stand disposed of.

(YASHVIR SINGH RATHOR)
JUDGE

03.12.2025
amandeep

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No