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

CRM-M-71642-2025 (O&M)

Date of decision : 23.12.2025

Sukhraj Singh @ Shally**....Petitioner**

versus

State of Punjab**.... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Ranjodh Singh Sidhu, Advocate
for the petitioner.

Mr. K.D. Sacheva, D.A.G., Punjab.

RAJESH BHARDWAJ, J. (Oral)**CRM-52095-2025**

Allowed as prayed for.

Main case

1. Present second petition has been filed by the petitioner praying for grant of regular bail in case FIR No.24 dated 17.02.2023, under Sections 307, 34 of IPC and Sections 25 & 27 of Arms Act, registered at Police Station City Patti, District Tarn Taran.

2. Succinctly, the facts of the present case are that the FIR in question was registered on the statement of the complainant, namely, Balvir Singh. It was alleged that on 17.02.2023, at about 9:00 pm, his son, namely, Kabir Singh was returning from Sobha Yatra (procession), in the meantime, Sukhraj Singh @ Shally (petitioner) armed with a pistol came there along with 3-4 unknown persons, who raised lalkara not to leave Kabir Singh. It was further alleged that Sukhraj Singh @ Shally, then fired from his pistol which hit in the left side of waist of his son, Kabir Singh.

Son of the complainant, collapsed on being hit by the firearm injury. On



companions escaped from the spot and the complainant along with his nephew shifted Kabir Singh to Civil Hospital, Patti. The request was made to take legal action against all the culprits. On registration of the FIR, the investigation commenced. Petitioner was arrested on 22.02.2023. He approached learned Additional Sessions Judge, Tarn Taran, for grant of bail, however, after hearing both the sides, the said relief was declined to him by the trial Court vide order dated 04.12.2025. Aggrieved by the same, the petitioner earlier approached this Court by way of filing of CRM-M-54864-2024, which was dismissed as withdrawn on 10.12.2024. Hence, the petitioner is before this Court by way of filing the present second petition for grant of concession of regular bail.

3. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. He submits that that the alleged occurrence took place on 17.02.2023 and the petitioner was arrested on 22.02.2023. He submits that after completion of investigation, challan was presented and on framing of the charges, trial commenced. He submits that the complainant, on whose statement the present FIR was registered, has been examined before the trial Court as PW-1. He has drawn the attention of this Court to his deposition made before the trial Court, wherein, he did not support the case of the prosecution and was declared hostile on the request of ld. Public Prosecutor. He submits that alleged injured-Kabir Singh, is abroad and he is intentionally not appearing before the trial Court in order to prolong the custody of the petitioner. It is submitted that the material witnesses already examined and they have not supported the case of the prosecution. He submits that though the petitioner is involved in 02 more cases under the NDPS Act, however, he is on bail in those cases. It is thus, submitted



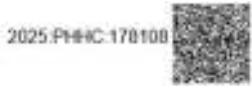
that in the overall facts and circumstances, the petitioner deserves to be granted bail.

4. Per contra, learned State counsel has vehemently opposed the submissions made by counsel for the petitioner and submits that the petitioner was specifically named in the FIR. He submits that it was the petitioner who had fired upon son of the complainant. He submits that the complainant /injured is yet to be examine. He, on instructions, has submitted that out of total 16 prosecution witnesses, only 01 witness has been examined so far. He has produced on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioner was arrested in this case on 22.02.2023. The FIR was registered by the complainant, who has been examined before the trial Court as PW-1 and did not support the case of the prosecution. Injured-Kabir Singh i.e. son of the complainant is said to be abroad. The custody certificate produced would show that the petitioner has suffered an incarceration of 02 years, 10 months and 1 day as on 22.12.2025. It further reflects that the petitioner is involved in 02 more cases.

6. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

7. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides and perusing the record, the Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for the grant of bail to the petitioner. Accordingly, present petition is allowed and



petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

8. In case the bail bonds are not furnished by the petitioner during the period of 07 days from today, then his further custody period after one week will not be counted in the present case.

23.12.2025
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(RAJESH BHARDWAJ)
JUDGE

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