



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.

222 CRM-M-3871-2026.
Date of Decision: 04.05.2026.

Judgepreet Singh @ JudgePetitioner.

State of PunjabRespondent.

VERSUS

CORAM : HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Rajiv Kumar Saini, Advocate for the petitioner.

Mr. Vinay Malhotra, Deputy Advocate General, Punjab.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Judgepreet Singh @ Judge	116	28.09.2024	109, 115(2), 3(5) BNS and 25 of Arms Act	Dera Baba Nanak	Batala

2. In regard to the incident which took place at 9:00 PM on 20.09.2024, injured/complainant-Manpreet Singh got registered the impugned FIR against his own brothers Jagpreet Singh @ Judge and Sartaj Singh.

The allegations in FIR read as under:-

“xxx Stated that I am resident of above said address and I am working as a Security Guard in SR Steel Company, Gujarat and I have come to my house in Village Veela about 1 year ago. On 20.09.2024 at about 09:00, my brother Jagjit Singh @ Judge s/o Prem Singh and Sartaj Singh son of Gagandeep Singh alias Mintu, residents of Village Veela took me from home on Sartaj's motorcycle at Kala's Dhaba. Talwandi Rama, where Jagpreet Singh alias Judge and Sartaj Singh drank me liquor and at 9:50, both of them took me to Shahpur Jajan Dhussi, where my brother Jagpreet Singh alias Judge took out a pistol from his dub and with intention to kill me, fired a shot at me, which hit me on the back side of my head, ahead of neck and Sartaj Singh hit me with Dattar with intention to chop my neck, which hit my left shoulder and I fell down. Both of them by taking advantage of darkness, fled away from the spot. Next day on 21.09.2024, I was admitted at Guru Nanak Hospital, Amritsar, where doctors did not treat me as per satisfaction and the neck pain was beyond my limits, so I came back from Guru Nanak Hospital with my own wishes and on 26.09.2024, I was admitted at Dhindsa Midtown Hospital, Fatehgarh Churrian, where doctors of Dhindsa Midtown Hospital started my treatment and removed the bullet from my neck by conducting operation. At present, I am under treatment at Dhindsa Midtown Hospital, Fatehgarh Churrian. Kindly initiate legal proceeding. Statement got recorded, read and heard it, which is correct. Sd/- Manpreet Singh. Attested by Sd/- Aswani Kumar.”

3. Learned counsel for the petitioner contends that being inimical and with a purpose to grab the land, the complainant has go registered a false case against the petitioner and that too at a belated stage.

Incident took place on 20.09.2024 and first time, the injured/ complainant went to the hospital on 26.09.2024. Had there been any serious

injury, the complainant would have immediately got treated the wound and also might have reported the incident to the police. Rather, FIR in the instant case was registered on moving a complaint at much belated stage i.e. on 28.09.2024 for the incident dated 20.09.2024. In continuation, learned counsel produced copy of statement dated 23.04.2026, whereby injured/complainant-Manpreet Singh has not supported the allegations framed up by the prosecution at the instance of complainant himself. Copy of statement is taken on record. The petitioner is inside jail for a period of more than 01 year, 06 months and 03 days. Moreover, chances of conviction of petitioner would be less and, thus, learned counsel prays for grant of bail to the petitioner.

4. On advance notice and in response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate dated 02.05.2026 in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

As per the custody certificate, in the present case, petitioner is inside jail for a period more than 01 year, 06 months and 03 days.

5. Learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, submits that merely on turning a witness hostile, may be the injured, it cannot be termed that there is no force in the case of prosecution. He primarily relies upon the recovery of a pistol and the bullet which can very well be connected during the course of trial and also on the basis of scientific evidence. However, he does not dispute the total incarceration period inside jail of the petitioner i.e. 01 year, 06 months and 03 days and that the prime witness i.e. injured himself has not supported the case of the prosecution.

6. After hearing learned counsel for the parties and perusing the relevant material on record with their able assistance, this Court finds substance in the submissions made by learned counsel for the petitioner by observing that the material witness i.e. injured/complainant has turned hostile and has not supported the case of prosecution. For ready reference, his examination-in-chief and getting him declared as hostile by learned APP is reproduced hereunder:-

*“Statement of Manpreet Singh S/o Prem Singh R/o Village Teja, Tehsil Batala, District Gurdaspur.
(ON SA)
(I well conversant with English Language).*

Stated that on 20.09.2024 at about 09.30 PM I was going towards village Talwandi rama and on the way some unknown person with muffled face fired a shot on the back side of my head but at that time I was under the influence of Liquor so I did not go for treatment. After 2/3 days I went through a surgery and bullet was extracted from my head by the doctor. I did not make any statement to the police. However I orally reported the matter against some unknown person, but police obtained my signature on blank papers and converted the same into my statement. Accused present in Court Judgepreet Singh and Sartaj Singh never fired at me nor they have committed any offence. They are innocent. I did not make any statement to the police against them. I do not know the other persons of this case.

At this stage the Ld. Addl. PP has requested that witness is suppressing the truth and has resiled from prosecution version and his statement so he may be declared hostile and opportunity of cross-examination may be allowed.

Request heard considered and allowed.”

The petitioner is inside jail for a period more than 01 year, 06 months and 03 days and trial of the case is likely to consume considerable time.

7. In view of totality of circumstances, and the facts/allegations levelled against the petitioner, and the factors noticed hereinabove, I deem it appropriate to grant the concession of bail to the petitioner.

8. Consequently, prayer made in the present petition is **allowed**.
Petitioner is ordered to be released on bail, subject to his furnishing bail/ surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

9. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

10. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

11. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

04.05.2026

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