



CRM-M-9680 of 2026

-1-

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

248

CRM-M-9680 of 2026
Date of Decision: 10.03.2026

Manpreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Mohd. Yousaf, Advocate for the petitioner.

Mr. Amritpal Singh, DAG, Punjab.

Mr. Vishaldeep Goyal, Advocate for the complainant.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.336 dated 18.10.2025 registered under Sections 109, 3(5), 61(2), 49, 308(5), 351(3) and 332(B) of the Bharatiya Nyaya Sanhita, 2023 and Section 25(1-B)(a), 27(2), 54 and 59 of the Arms Act (Sections 25/27 of the Arms Act deleted), at Police Station Phillaur, District Jalandhar Rural.

2. Brief facts as per the case of the prosecution are that the petitioner along with other co-accused caused gun shot injury to the complainant with an intention to kill him. Hence, the present FIR.

3. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. He further

**CRM-M-9680 of 2026****-2-**

submitted that the petitioner was neither named in the FIR, nor has any concern with the said offence. He argued that as per the prosecution version itself, only two persons, namely, Rahul @ Ritesh and one unknown person (later identified as Amandeep Singh), were present on the spot at the time of the alleged incident. It has also been contended that the petitioner has been nominated as an accused only on the basis of the disclosure statement made by one co-accused. Apart from the disclosure statement, there is no other evidence to connect the petitioner with the offence in question and it is a trite law that disclosure statement of the co-accused during his custodial interrogation is not admissible. He further argued that if the contents of the FIR are taken to be true, even then no specific injury has been attributed to the present petitioner and the only allegations against the petitioner is that he helped the co-accused in escaping. Further, co-accused Amandeep Singh has already been granted the concession of anticipatory bail by a Co-ordinate Bench of this Court, vide order dated 20.02.2026 and co-accused Gurkirat Singh has also been granted the concession of regular bail by a Co-ordinate Bench of this Court, vide order dated 13.02.2026. No recovery is to be effected from the petitioner. The petitioner is in custody since 11.11.2025. The investigation in this case is complete, challan stands presented but charges are yet to be framed. He submitted that the trial will take a long time to conclude and no useful purpose would be served by keeping him behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. On the other hand, learned State counsel has filed the custody certificate of the petitioner and status report in the matter, which are taken on record and while referring to the status report, he has vehemently opposed the



CRM-M-9680 of 2026

-3-

prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature. He argued that the petitioner is specifically named in the disclosure statement of co-accused and he has actively participated in the crime. He has further submitted that the petitioner is involved in one more case meaning thereby he is a habitual offender. However, he has not disputed the fact that no injury has been attributed to the present petitioner.

5. Learned counsel for the complainant adopts the submissions made by learned State counsel and while opposing the prayer for grant of bail to the petitioner, has contended that the petitioner has played an active role in the crime and thus, does not deserve the concession of bail.

6. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioner is in custody for the last more than 03 months; no injury has been attributed to him; investigation is complete; challan stands presented; charges are yet to be framed; the complicity of the petitioner is a matter of trial and the same will take a long time to conclude. Thus, no useful purpose would be served by detaining him in further custody. His continued detention without the prospect of the trial being concluded in the near future would be violative of his rights under Article 21 of the Constitution of India.

7. Reliance is placed upon a judgment in the case of ***Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131***, wherein Hon'ble Apex Court has held that keeping somebody behind the bars, till his guilt is proved, for an indefinite period amounts to infringement of his right to life and liberty, as enshrined under Article 21 of Constitution of



CRM-M-9680 of 2026

-4-

India and is against the principle “*bail is a rule*” and “*jail is an exception*”.

8. As regards the submission of learned State counsel that petitioner is involved in other/one more criminal case(s), reference is placed upon the judgment of the Hon'ble Supreme Court in ***Maulana Mohd. Amir Rashadi Vs. State of U.P. and another, 2012 (2) SCC 382*** in which, it is held that the facts and circumstances of the present case are to be seen while deciding a bail application and the bail application of the petitioner cannot be rejected solely on the ground that the petitioner is involved in other/another case(s). The relevant portion of the said judgment is reproduced herein-below:-

"As observed by the High Court, merely on the basis of criminal antecedents, the claim of the second respondent cannot be rejected. In other words, it is the duty of the Court to find out the role of the accused in the case in which he has been charged and other circumstances such as possibility of fleeing away from the jurisdiction of the Court etc."

9. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

(RUPINDERJIT CHAHAL)
JUDGE

10.03.2026

D.Bansal

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