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

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CRM-M-13283-2026

Date of decision : 08.04.2026

Date of uploading : 08.04.2026

CHARANJEET SINGH

.....PETITIONER

Versus

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. L.S. Sekhon, Advocate for the petitioner.

Mr. Gaurav Gurcharan S. Rai, Sr. DAG, Punjab.

Mr. Mohit Kumar, Advocate for the complainant.

SUMEET GOEL, J. (ORAL)

1. Present 2nd petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.303 dated 15.12.2025 under Sections 109, 125, 351(2) of BNS, 2023 and Section 25 of Arms Act, registered at Police Station City I Malerkotla, District Malerkotla.
2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

*"Contents:**"Copy of original statement, "Statement of Rehman Mani son of Mohd. Nasir resident of Aksha Colony, Imamgarh Road, Vaddi Idgah Malerkotla, aged about 29 years M.No. 8872017702, it is stated that am resident of above-mentioned I address and running a Poultry Farm. Mohd. Ikram @ Bhura son of Abdul Satar resident of Mohala Maler near Pandian Wali Masjid was my friend. About 5 months ago I had dispute with said Mohd. Ikram @ Bhura because he was indulged in the wrong deeds. I used to forbid him for wrong*



deeds. Thereafter our communication was come to a halt. Yesterday dated 14.12.2025 I had gone to the marriage of my friend namely Mohd. Aslam @ Soni son of Mohd. Yasim at Turning Point Palace situated at Mochian Internal Kolo Gate, Malerkotla where in the said marriage said Mohd. Ikram Bhura and his friend namely Adrish Mohd. Raju son of Gafur Khan and Kaka son of unknown resident of Hathan and two other unknown persons had also come attend the marriage.

Meanwhile it would be time around 10:30 PM said Mohd. Ikram Bhura along with his companion had argued a lot with me in the palace. On which said Adrish Raju started saying that once the marriage ceremony is over then we will tell you who we are? Meanwhile it would be time around 10:45 PM said Raju told me over phone call that I will get your matter resolved with said Mohd. Ikram Bhura. You kindly come to the vacant plot near Gurudwara Ha Da Nara Cantt. On which I along with my friend namely Salamdin son of Mohd. Jamil resident of Sheikh Road Mohalla Bangla Malerkotla, Sahid Ali son of Tokir Satta Chowk resident of Gate Sunami NA Husain Malerkotla and Mohd. Sehbaj son of Mohd. Arsuf resident of Kalu Basti Imamgarh Road in our car make Innova reached at Court Road, a little head from Gurudwara Ha Da Nara where one car make Verna of white colour bearing registration No. PB 40A 4848 and one motorcycle make Splendour were parked there and Mohd. Ikram @ Bhura etc. were standing on the left side. When on seeing them, I parked my vehicle and about to get alighted from vehicle then Adrish Mohd. Raju fired a shot of pistol towards my feet.

On which I and my companions got feared and I closed the window of the vehicle. On which Kaka R/o Hathan fired another shot towards me with intention to kill me. I bowed down due Thereafter Mohd. to which I was saved. Ikram Bhura took pistol from them. Thereafter we all sat in the vehicle and ran away along with our vehicle towards Court Road on which he fired another shot in the air towards us. Thereafter we went to our house and on the night said Mohd. Adrish Raju threatened me that today you have been saved. We will teach you a lesson. The cause of grudge is that Modh. Ikram @ Bhura is trying make compromise with me by putting pressure on me. I have got recorded my statement in the presence my friend namely Salamdin. Kindly take required legal action against the said persons. I have read my statement and heard the same as correct. Sd/ Rehman @ Mani, statement endorsed by Sd/ Salamdin, attested Sd/- ASI Devender Singh to 3293/LDH, P.S City I, Malerkotla dated 15.12.2025."

3. Learned counsel submits that the petitioner was arrested on 17.12.2025 and has been in custody since then. Learned counsel further argues that the petitioner was involved in the FIR in question on account of a misunderstanding on the part of the complainant, which has since been resolved by way of a compromise, the terms whereof were reduced

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into writing vide compromise deed dated 18.02.2026 (a copy whereof has been appended as Annexure P-2 with the present petition). Learned counsel for the petitioner further submits that the petitioner has suffered incarceration for more than three months. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and, thus, the petitioner does not deserve the concession of regular bail. Learned State counsel, on instructions from the petitioner, seeks to place on record the custody certificate dated 07.04.2026, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 17.12.2025, whereafter investigation was carried out and the challan stands presented on 27.02.2026. A total of 12 prosecution witnesses have been cited, but none has been examined till date. It is thus indubitable that the culmination of the trial will take its own time. The rival contentions raised by learned counsel at the Bar, including the weightage/veracity required to be attached to the compromise deed dated 18.02.2026, shall be gone into during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1 As per the custody certificate dated 07.04.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period



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of more than three months. The petitioner is stated to be involved in other FIR(s). Indubitably, the antecedents of a person are required to be taken into account while considering a regular bail petition. However, this fact alone cannot be sufficient to decline the concession of regular bail to the petitioner in the FIR in question, once a case is made out for grant of regular bail qua the said FIR on an appraisal of its own facts and circumstances. Reliance in this regard can be placed upon the judgment of the Hon'ble Supreme Court in *Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586*; a Division Bench judgment of the Hon'ble Calcutta High Court in case of *Sridhar Das v. State, 1998 (2) RCR (Criminal) 477* & judgments of this Court in *CRM-M No.38822-2022* titled as *Akhilesh Singh v. State of Haryana*, decided on 29.11.2021, and *Balraj v. State of Haryana, 1998 (3) RCR (Criminal) 191*.

6.2 Indubitably, the present petition is the 2nd attempt by the petitioner to secure regular bail. The last bail plea preferred by the petitioner was dismissed as withdrawn on 03.02.2026. Keeping in view the entirety of the factual *milieu* of the case in hand, especially extended incarceration of the petitioner and no substantial progress in trial, this Court is inclined to favourably consider the instant plea for bail. A profitable reference, in this regard, can be made to a judgment of this Court passed in *CRA-S-2332-2023* titled as *Rafiq Khan versus State of Haryana and another*; relevant whereof reads as under:

“10. As an epilogue to the above discussion, the following principles emerge:

I. Second/successive regular bail petition(s) filed is maintainable in law & hence such petition ought not to be rejected solely on the ground of maintainability thereof.



II. Such second/successive regular bail petition(s) is maintainable whether earlier petition was dismissed as withdrawn/dismissed as not pressed/dismissed for non-prosecution or earlier petition was dismissed on merits.

III. For the second/successive regular bail petition(s) to succeed, the petitioner/applicant shall be essentially/pertinently required to show substantial change in circumstances and showing of a mere superficial or ostensible change would not suffice. The metaphoric expression of seeking second/successive bail plea(s) ought not be abstracted into literal iterations of petition(s) without substantial, effective and consequential change in circumstances.

IV. No exhaustive guidelines can possibly be laid down as to what would constitute substantial change in circumstances as every case has its own unique facts/circumstance. Making such an attempt is nothing but an utopian endeavour. Ergo, this issue is best left to the judicial wisdom and discretion of the Court dealing with such second/successive regular bail petition(s).

V. In case a Court chooses to grant second/successive regular bail petition(s), cogent and lucid reasons are pertinently required to be recorded for granting such plea despite such a plea being second/successive petition(s). In other words, the cause for a Court having successfully countenanced/entertained such second/successive petition(s) ought to be readily and clearly decipherable from the said order passed."

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not misuse the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial Court.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall furnish his cell-phone number to the Investigating Officer/SHO of the concerned Police Station and shall not change the same without prior permission of the trial



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Court/Illaqa Magistrate.

(vii) The petitioner shall not, in any manner, try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioners.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

08.04.2026*jatin*

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No