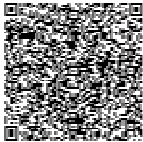


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2026:PHHC:069189



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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
CRM-M-24022-2026

Arshdeep Singh @ Arshdeep
.....Petitioner
Versus
State of Punjab
...Respondent

Date of Decision: May 05, 2026
Date of Uploading: May 05, 2026

CORAM: HON’BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. H.S. Sandhu, Advocate for the petitioner.
Mr. Jaypreet Singh, DAG Punjab.

SUMEET GOEL, J. (ORAL)

Present petition has been filed under Section 483 of the BNSS seeking grant of regular bail to the petitioner, in case bearing FIR No.109 dated 16.06.2025, registered for the offences punishable under Sections 109, 190, 191 of the BNS, 2023 and Sections 25/ 27/ 54/ 59 of the Arms Act, 1959, at Police Station Sadar Patti, District Tarn Taran.

2. The gravamen of the FIR in question is that complainant, namely, Sukhdev Singh stated that on 15.06.2025, at about 10:00 PM, while the complainant and his family were having dinner, Veer Kaur @ Veero, along with her nephew Jobanpreet Singh, armed with a brick; Billa, armed with a pistol; Manpreet Singh, armed with a baseball bat; Arshdeep Singh (*petitioner herein*), armed with a wooden stick; and 6–7 other unknown persons, one of whom was armed with a country-made 12-bore pistol, arrived at the complainant’s house and began banging on the main gate.

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When the complainant came outside, Veer Kaur raised a *lalkara* to teach them a lesson for allegedly practicing witchcraft. Meanwhile, Billa @ Sonia pushed the complainant to the ground, and all the assailants began assaulting him. On hearing the commotion, other family members of the complainant came outside. At that point, Billa fired shots from his pistol, and one bullet struck the complainant's daughter, Kirandeep Kaur, on the right side of her chest. Simultaneously, an unknown assailant fired from a country-made pistol with intent to kill, and the pellet struck the complainant's brother-in-law, Shamsher Singh, on the head. Manpreet Singh attacked the complainant's daughter and brother-in-law with a baseball bat, while Arshdeep Singh (*petitioner herein*) assaulted them with a wooden stick. Jobanpreet Singh struck the complainant's maternal cousin, Janga Singh, on the head with a brick, causing serious injuries.

Upon the complainant's family raising alarm (*raula*), all the assailants fled from the spot along with their weapons in an Innova car bearing registration number HR69A-0260.

3. Learned counsel has submitted that the petitioner is in custody since 21.01.2026. Learned counsel has further submitted that the petitioner has been falsely implicated into the FIR in question. Learned counsel has urged that assuming *arguendo*, the prosecution version is taken to be correct, offence of Section 109 of the BNS (erstwhile Section 307 of IPC) has been invoked on account of fire arm injury given by co-accused, namely, Billa, and the petitioner is, though, stated to be armed with wooden stick, but the injury attributed to the petitioner has not invoked the said Section. Learned counsel has further urged that the petitioner is a man aged 26 years with clean antecedents. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that allegations raised against the petitioner are serious in nature and, thus, the

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petitioner does not deserve the concession of the regular bail. Learned State counsel also seeks to place on record the custody certificate dated 04.05.2026, in the Court today, 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 21.01.2026, whereinafter, the investigation was carried out and the challan *qua* petitioner has been presented on 24.04.2026. Total 30 cited prosecution witnesses have been cited and it is conceded case before this Court that none has been examined till date. It is, thus, indubitable that culmination of trial will take its own time. It is further not in dispute that injured stands discharged after medical treated. The rival contentions raised at Bar give rise to debatable issues, which shall essentially be ratiocinated upon 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 custody certificate dated 04.05.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 03 years and 12 days, & is not shown to be involved in any other FIR(s).

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, if not required in any other case, 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

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concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:

- (i) The petitioner shall not mis-use 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.
- (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 give his cellphone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial 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 petitioner.

9. Ordered accordingly.

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

11. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(SUMEET GOEL)
JUDGE

May 05, 2026

mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No