



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

217

CRM-M-30191-2026
Decided on : 29.05.2026

Arshdeep Singh . . . Petitioner(s)

Versus

State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. SPS Sidhu, Sr. Advocate with
Mr. Ankit Kumar Bhinchar, Advocate
for the petitioner(s).

Mr. Jasdeep Singh, Addl. AG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. 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 here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Arshdeep Singh	0025	14.03.2025	S. 109, 132, 221, 190, 191(3), 324(4) of BNS, 2023 [erstwhile S. 307, 353, 186, 149, 148, 427 of IPC] and S. 25 of Arms Act, 1959	Cantt. Bathinda	Bathinda

2. At the outset, learned Senior counsel refers to order dated 28.04.2026, passed by this Court in the bail petitions of the co-accused, i.e., CRM-M-53015-2026 & other connected cases, titled as, “*Sunil Singh @ Bittu v. State of Punjab*” (appended as Annexure P-3), wherein, while considering the plea for bail, following was recorded by this Court:-



“3. On 17.02.2026, the following factual position was recorded by this Court:

“1. Learned State counsel has filed status report dated 15.02.2026 along with the pen drive, in the Court today and the same is taken on record.

2. Registry is directed to keep the pen drive enclosed with the status report, in a secured place, so that the same would not get misplaced.

3. With the assistance of learned State counsel and the concerned Inspector, namely Daljeet Singh, facts in the present case are noticed as under:-

(i) Initially, FIR No.24 dated 11.03.2025 was registered at Police Station Cantt., Bathinda under Sections 309(4) and 3(5) of the BNS and Sections 25, 54 and 59 of the Arms Act, on the statement of complainant, Love Garg, against three unidentified persons. It was alleged that on 11.03.2025 at about 5:50 P.M., three unidentified persons, with their faces covered and two of them draped in shawls, entered “Hotel Green.” One of them was carrying a rifle. After threatening the staff, they took away three mobile phones and cash amounting to approximately Rs.7,000–8,000/-. As per the FIR, the entire incident was captured on CCTV cameras.

(ii) During search of the nearby area, on 14.03.2025, police team apprehended six accused persons, namely Sunil Singh alias Bittu (petitioner in CRM-M-53015-2025), Gurdeep Singh alias Deep (petitioner in CRM-M-56751-2025), Hargun Singh alias Harry (petitioner in CRM-M-65840-2025), Satwant Singh, Arshdeep Singh alias Gyani and Arshdeep Singh alias Arshi. They were found present in a car bearing registration No.PB-03-X-8317 (make Chevrolet Optra), owned by Arshdeep Singh alias Gyani.

(iii) Accused Satwant Singh was seated on the front passenger seat of the car and was holding an AK-47 rifle. Upon noticing the police party, he allegedly fired shots at them. In retaliation, police party also opened fire. One bullet struck Satwant Singh on his left leg below the knee, and another shot, fired by ASI Jaswinder Singh from his service pistol, hit the body of the car. All the accused persons were apprehended at the spot. Satwant Singh, having sustained a bullet injury, was hospitalized by the police officials themselves.



(iv) After arrest of the accused on 14.03.2025, accused Sunil Singh alias Bittu made a disclosure statement stating that he had joined the Army on 28.06.2016 and was posted with the 7th Sikh Infantry (SIKHLI) Unit, Rampur (Jammu & Kashmir). He further disclosed that the AK-47 rifle used in the occurrence had been stolen by him and belonged to Sepoy Bikram Gurung, and the said rifle was used in the commission of the offence in FIR No. 24/2025, Police Station Cantt., Bathinda.

(v) During the course of investigation, on 16.03.2025, statements of all six accused persons were recorded, and they were formally arrayed as accused in FIR No.24/2025. Sections 190, 61(2) and 238 of the BNS were added, and Section 3(5) of the BNS was deleted vide DDR No.23 dated 16.03.2025.

4. Next date fixed before the trial Court for recording the statements of the prosecution witnesses is 12.03.2026.
5. List again on 28.04.2026.
6. A photocopy of this order be placed on the files of other connected cases.”

4. Learned Senior Counsel submits that present occurrence took place when the Investigating Officer, along with other police officials, was searching for the accused involved in FIR No.24 dated 11.03.2025 (supra). It is contended that during the course of the said operation, petitioner along with the co-accused was noticed sitting in a car, whereupon the incident in question allegedly took place.

Learned Senior Counsel further submits that in the earlier case, i.e., FIR No.24 dated 11.03.2025 (supra), petitioner – Arshdeep Singh has already been granted the concession of regular bail by the Court of learned ACJM, Bathinda, vide its order dated 29.07.2025.

Accordingly, relying upon the aforesaid circumstance and claiming parity, learned Senior Counsel prays for grant of the concession of regular bail to the petitioner.



5. At the outset, learned State counsel has filed the custody certificate dated 28.05.2026 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.

6. Learned State counsel submits that due to the submission of supplementary challan now, the process of recording of statements could not be initiated and next date fixed is 23.07.2026.

7. Heard learned counsel for the parties and also have appraisal of the contentions recorded previously.

8. Petitioner is inside jail for the last more than a period of 01 year and 02 months. Though he is faced charges under Section 109 of BNS, 2023, however, fire arm injury has been suffered by accused – Satwant Singh, due to the shots fired by members of police team in retaliation to the fire shot of accused – Satwant Singh. In case FIR No. 24 dated 11.03.2025 (supra) petitioner and all three accused (who have already been granted bail in the present FIR case by this Court, vide order dated 28.04.2026) have been granted bail by the Court of learned Magistrate (as informed by petitioners' counsel). Despite granting opportunity, the process of recording of statements of witnesses has not even been initiated. Charges are yet to be established by prosecution beyond doubt, I do not find any substantial reason to continue the petitioner's detention inside jail for any longer. Moreover, most of the witnesses in the present case are officials. Therefore, considering all the aforementioned aspects, including the parity with co-accused persons, this Court finds merit in the prayer of the petitioner.



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**.

Pending misc. application(s), if any, also stand(s) disposed of.

(SANJAY VASHISTH)
JUDGE

May 29, 2026

J.Ram

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