

2026.PHHC.009627



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-59579-2025

Date of decision: 22nd January, 2026

Shubhdeep Singh @ Shubh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Amit Arora, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 154 dated 08.09.2019 registered under Sections 307, 148 and 149 of IPC and Section 25 of Arms Act, 1959 at Police Station Gharinda, District Amritsar.

2. The aforementioned FIR was registered on the basis of statement got recorded by the complainant Jarmanjeet Singh on 08.09.2019 alleging that on the same day, after spraying insecticides in his fields, he along with his co-villager Gurbaksh Singh was going towards his village, when he was intercepted by the co-accused Akashdeep Singh and Ajaydeep Singh, who came riding a bike and started uttering filthy language and also proclaimed

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that they would see the complainant later in the village. He had come back to the village and narrated the entire incident to his family members. On the same day, when he along with his father, uncle and some other persons was standing in the fields, the above named accused Ajaydeep Singh and Akashdeep Singh along with co-accused Jashandeep Singh, Pardeep Singh and 4-5 unknown persons came in a Bolero vehicle and had opened an attack upon them. Akashdeep Singh fired a shot towards the father of the complainant thereby hitting backside of his waist, Ajaydeep Singh fired a shot injured his father Joginder Singh and another shot fired by Akashdeep Singh thereby injuring his cousin brother Jaskaran. On clamour being raised by them, assailants fled from the spot.

3. After registration of FIR, investigation proceedings were initiated. Accused Akashdeep and Pardeep Singh were arrested on 09.09.2019. They suffered disclosure statements on the basis of which, the present petitioner along with the co-accused Jashandeep Singh, Akashdeep Singh, Sajjanpreet Singh and Lovepreet Singh @ Lahoria were nominated as additional accused. Some other persons were also nominated. He was arrested on 08.12.2019.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statements of the co-accused which cannot be considered to be admissible in evidence. He was neither named in the FIR nor by any of the witnesses of the complainant side. Trial is likely to take considerable time to conclude as only 02 out of 23

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prosecution witnesses have been examined so far. Co-accused Akashdeep Singh, Jashandeep Singh and Lovepreet Singh have been extended benefit of bail. The case of the petitioner is even at better footing as no firearm injury has been attributed to him. No useful purpose would be served by detaining him in custody anymore. It is, therefore, argued that the petition deserves to be allowed.

5. *Per contra*, learned State counsel has argued that the petitioner was an active participant in the occurrence while being member of an unlawful assembly which had committed serious offences by firing shots with firearms upon the members of the complainant party and causing injuries, which were dangerous to life to them. It is, therefore, stressed that the petition does not deserve to be allowed.

6. This Court has heard learned counsel for the parties at considerable length.

7. The petitioner is alleged to have formed a membership of an unlawful assembly with the co-accused and in prosecution of common object of that unlawful assembly, shots were fired at, upon the members of complainant party and they were injured. The petitioner is, however, in custody since 08.12.2019. Though he is shown to be involved in other cases but cannot be denied benefit of bail due to that reason alone. No specific overt act has been attributed to him. It is not the version of the prosecution that it was he who had fired upon the persons of the victims. Taking into consideration the above discussed facts, the period of incarceration of the

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petitioner, role attributed to him and on parity, but without meaning to make any comment on the merits thereof, this Court is of the considered opinion that the petition deserves to be allowed. Hence, the same is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

8. Since the main petition has already been disposed of, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

22nd January, 2026
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |