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

CRM-M No.65132 of 2025

Date of Decision: 27.03.2026

Mandeep Kumar @ Mani Gujjar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Tanheer Singh Bariana, Advocate
for the petitioner.

Mr. K. D. Sachdeva, DAG, Punjab.

RAJESH BHARDWAJ, J. (ORAL)

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.5, dated 14.01.2025, under Sections 109, 333, 324, 191(3), 190, 238 of BNS and Sections 25-54-59 of Arms Act, registered at Police Station Garhshankar, District Hoshiarpur.
2. Succinctly, the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Nirpal Kaur. It was alleged that the complainant is a widow and she has four sons. It was alleged that sons of complainant were earlier friends with Amandeep Singh @ Chiniya, Harpreet Singh @ Happy, Jaswinder Singh @ Jassa, sons of Amrik Singh. It was alleged that sons of Amrik Singh



along with Mandeep Singh @ Mani Gujjar and his brother, namely, Pradeep Singh @ Pappi had previously fought with sons of complainant are jealous of them. It was alleged that on 13.01.2025, the complainant along with her children were present in the house and at about 09:30 P.M., she heard that someone was hurling abuse outside her house. It was alleged that when they came to veranda, they saw that abovesaid boys along with unidentified persons armed with *Kirpans* and *Datars* were trying to break the door of her house. The complainant along with her sons went on the roof to save themselves but in the meantime, all the persons entered into the house and started breaking her household articles. It was alleged that Amandeep Singh @ Chiniya and Mandeep Singh @ Mani Gujjar (petitioner) armed with pistols, fired four shots towards them with intention to kill them. It was alleged that the complainant along with her sons went to the house of their neighbours to save themselves. She has produced 04 empty shells of the shots fired by them. It was alleged that she could not come to police station for recording of her statement by stating that talks of compromise were going on but the same could not mature. Thereafter, the statement was recorded and request was made to take legal action against the accused. On the basis of the same, the FIR was registered. On registration of the FIR, the investigation commenced. Resultantly, the petitioner was arrested on 21.01.2025. On completion of the investigation, the challan has been presented and on framing of charges, the trial commenced. The petitioner approached the Court of learned Additional Sessions Judge, Hoshiarpur praying for the grant of



regular bail. However, after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Hoshiarpur dismissed the bail application filed by the petitioner vide order dated 04.10.2025. Hence being aggrieved, the petitioner is before this Court praying for grant of regular bail by way of filing the present petition.

3. Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case. He has submitted that the alleged occurrence had taken place on 13.01.2025 wherein the complainant had alleged that 04 shots were fired from the pistol and 04 empty shells were also recovered from the place of occurrence. He has submitted that from the production memo, 04 empty shells of 32 bore pistol were allegedly recovered from the place of occurrence, however, in the disclosure statement made by the petitioner, the statement was regarding .315 bore country made pistol. He has submitted that the recovery memo dated 21.01.2025 also pertains to the .315 bore desi katta. He has submitted that from the case of prosecution, it is evident that the weapon recovered is different from what has been alleged in the FIR. He has submitted that the attending witness, i.e. Constable Kinder Singh is facing prosecution in case bearing FIR No.5, dated 21.01.2025, under Section 7 of Prevention of Corruption Act, for allegedly demanding bribe from the sister of the petitioner. He has submitted that from the attending facts and circumstances, it is also apparent that the present case was planted upon the petitioner in a clandestine manner by the investigating agencies. He has submitted that the police had roped the petitioner in



various false cases, however, he is on bail in those cases. He has submitted that the investigation is already complete. He has submitted that the petitioner is behind bars from last more than 10 months, however, there is no material progress in the trial and thus, the cases having been planted falsely and frivolously upon the petitioner, he deserves to be granted regular bail.

4. Status report dated 01.02.2026 by way of an affidavit of Daljit Singh, PPS, Deputy Superintendent of Police, Sub Division Garhshankar, District Hoshiarpur on behalf of the respondent-State has been filed by learned State counsel today in the Court, which is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

5. *Per contra*, learned State counsel has vehemently opposed the submissions made by counsel for the petitioner. He has submitted that the petitioner has been specifically named in the FIR and played an active role. He has submitted that it is the petitioner, who had fired on the house of the complainant and 04 empty shells were also recovered. He, on instructions from ASI Ravish Kumar, has submitted that the investigation is complete and charges have been framed, however, out of total 12 prosecution witnesses, no witness has been examined so far. He has produced custody certificate of the petitioner today in the Court, which is taken on record.

6. Heard.

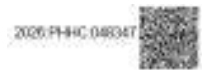
7. After hearing counsel for the parties and perusing the record, it is deciphered that the alleged occurrence had taken place on 13.01.2025. It has been contended before this Court by learned counsel for the petitioner that false implication of the petitioner is writ large in view of the



fact that the weapon with which the petitioner was alleged to have fired and which was shown to have been recovered are completely different. The attesting witness, i.e. Constable Kinder Singh is also facing prosecution under Section 7 of the Prevention of Corruption Act. The petitioner is behind bars since the date of his arrest, i.e. 21.01.2025. Custody certificate produced would show that the petitioner has suffered an incarceration of 10 months and 08 days as on 26.03.2026. It further reflects that the petitioner is involved in 09 other cases, however, in 03 of the cases, he is on bail, in 02 cases, he has already undergone the sentence and in 01 case, he has been acquitted. Out of total 12 prosecution witnesses, no witness has been examined so far.

8. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. This Court would refrain itself from commenting anything on the merits of the case. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

9. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. However, if the petitioner does not furnish the bail bonds within seven days from today, then his further custody period after one week will not be counted in this



case.

10. Nothing said herein shall be treated as an expression of opinion on the merits of the cases.

27.03.2026

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(RAJESH BHARDWAJ)
JUDGE

Whether Speaking/Reasoned :	Yes/No
Whether Reportable :	Yes/No