



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-66657-2025
Decided on : 23.03.2026

Rohit . . . Petitioner(s)
Versus
State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Ashish Aggarwal, Advocate
for the petitioner(s).

Mr. Vinay Malhotra, DAG, Punjab
assisted by ASI Palwinder Singh.

SANJAY VASHISTH, J. (Oral)

1. The 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
Rohit	11	13.02.2025	109, 3(5), 249 of BNS, 2023 and Sections 25, 27 of the Arms Act, 1959 (Sections 263, 62, 111, 238, 262, 61, 341 of BNS, 2023 added later on)	Mehta	Amritsar Rural

2. A few facts necessary for adjudication of the case may be noticed.

On 13.02.2025 police party received the information that in the area of Mehta Chowk, at one shop of Major Spare Parts, some unknown persons have fired upon Baldev Singh and Amanbir Singh and they both have suffered injuries due to the fired shots. Police party reached at the spot where Baldev Singh got recorded the statement that at around 3.00 PM two unknown persons came on a motorcycle. They both were having muffled faces. Immediately they picked up their pistols and fired 4/5 rounds upon him. Complainant Baldev Singh suffered injury on his right leg due to the



fired shot. Another fired shot hit Amanbir Singh, who was standing alongside him. Thereafter, assailants fled away from the spot.

Both the injured were taken to hospital, where they were treated. Assailants, could be identified if brought before him. Subsequently supplementary statement was recorded and accused Rohit (petitioner herein) and Jarmanjit Singh were also nominated as accused in the present case vide report No.23 dated 24.02.2025. Subsequently, on the basis of disclosure statement of accused/petitioner Rohit, some other co-accused, namely, Bachittar Singh, Arshdeep Singh, Doni, Manu, Rajinder Singh @ Raja and Rajwinder Singh @ Raja, were also nominated as additional accused in the present FIR and thereupon, offence under Section 249 BNS was also invoked.

One of the accused/petitioner – Rohit, during the process of recovery of 32 bore pistol tried to run away from the police custody due to which other offences under sections 263 and 62 BNS, 2023, were also added. Co-accused Rajinder Singh @ Raja, during the police remand made a confessional-cum-disclosure statement on 01.03.2025 that motorcycle used by Jarmanjit Singh and Rohit on 13.02.2025 at the time of incident was concealed by him in his village house in village Jabowar. Accordingly, that motorcycle was also got recovered by the accused Rajinder Singh @ Raja.

3. Learned counsel for the petitioner argues that no evidence has come on record to prove that petitioner had participated in the alleged crime and admittedly, no specific injury has been attributed to him.

On the basis of supplementary statement recorded by the complainant, petitioner – Rohit and co-accused Jarmanjit Singh were nominated as accused in the present case vide report No.23 dated 24.02.2025. Thus, learned counsel prays for concession of regular bail to the petitioner.

4. On the other hand, learned State counsel submits that the statement of the complainant – Baldev Singh, is yet to be recorded before the trial Court. Therefore, submits that it is not the proper stage to grant bail to the petitioner.

5. I have heard learned counsel for the parties and perused the material available on record.



6. It is noticed that co-accused, namely Rajinder Singh @ Raja, Bachittar Singh, Gurpreet Singh and Rajwinder Singh @ Raja, have already been granted the concession of regular bail by the learned trial Court vide orders dated 17.04.2025, 30.04.2025, 24.06.2025 and 18.07.2025, respectively.

It is also not disputed that name of the petitioner does not find mention in the FIR and came to be introduced later on, through a supplementary statement recorded on 24.02.2025, i.e., after a period of about 10/11 days. It is further a matter of record that the injury attributed to the complainant is on a non-vital part of the body, i.e., leg, therefore, offence u/s 109 of BNS, 2023 would be a debatable issue.

7. In the facts and circumstances of the case, and considering that the statement of the injured/complainant – Baldev Singh has not yet been recorded before the learned trial Court, this Court is of the view that the said witness is required to be examined at the earliest.

Accordingly, present petition is disposed of with a direction to the learned trial Court to record the statements of the injured/complainant – Baldev Singh and Amanbir Singh at the first instance, on the date fixed before it.

Let the aforesaid exercise be completed within a period of three months from today. Thereupon, it shall be open for the petitioner to file a fresh bail petition after recording of the statements of the aforesaid witnesses.

Let a copy of this order be also forwarded to the learned trial Court for information and compliance.

8. **With aforesaid observations, instant petition stands disposed of.**
Misc. application(s), if any, also stand disposed of.

(SANJAY VASHISTH)
JUDGE

March 23, 2026

J.Ram

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