



**In the High Court for the States of Punjab and Haryana
at Chandigarh**

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CRM-M-67062-2025 (O&M)
Date of Decision:- 29.01.2026

Harjit Singh @ Gony ... Petitioner
Versus
State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Mr. Anurag Arora, Advocate for the petitioner.
Mr. Sandeep Kumar, DAG, Punjab.

SUBHAS MEHLA, J. (Oral)

1. By way of the present petition, the petitioner is seeking regular bail in case FIR No.0059 dated 29.05.2025 registered under Sections 109, 49, 351(2) of BNS, 2023 and Sections 27/30-54-59 of Arms Act, at Police Station Chabbewal, District Hoshiarpur.
2. Learned counsel for the petitioner contended that the petitioner is 70 years old and a resident of Canada. He was not present in India at the relevant time, which is evident from his passport and other entries placed on record showing his absence. It is further contended that the complainant is a retired police official and that there is an ongoing land dispute between the parties, and one more FIR is also pending between the same parties. The petitioner is in custody since 26.10.2025; the investigation has already been completed, and the case is fixed for framing of charges. Trial will take sufficient time to conclude. Thus, he prayed for grant of regular bail to the petitioner.



3. Mr. Gurmeet Singh, Advocate and Mr. S.K. Kanojia, Advocate have put in appearance on behalf of the complainant and has filed *Vakalatnama*, which is taken on record. He opposed the contentions raised by learned counsel for the petitioner by submitting that the petitioner is a habitual offender and is involved in two other cases of similar nature. There is a dispute between the complainant and the petitioner, and it is alleged that, at the behest of the petitioner, co-accused fired upon the complainant with the intention to commit murder.

4. Custody certificate of the petitioner filed by learned State counsel in Court, is taken on record. As per custody certificate, the petitioner is behind bars for the last about 03 months and 02 days. Learned State counsel submits that investigation qua him has already been completed and challan stands presented, now the case is fixed for framing of charges before the trial Court.

5. Heard.

6. Keeping in view the rival contentions raised by learned counsel for the parties; the fact that petitioner is 70 years of age and at relevant time, he was not present in India, he is in custody since 26.10.2025 i.e. for the last about 3 months and 02 days; investigation qua him has already been completed and challan has been presented; dispute between the parties pertains to some land and another FIR is also pending between them; trial will take sufficient time to conclude, and no fruitful purpose would be served by keeping him in custody for any further period, as concession of bail cannot be denied just as a measure of punishment as culpability is to be decided by trial Court after appreciating evidence adduced by the parties, and it is a trite principle of criminal jurisprudence that bail is rule, jail is an exception, this



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Court deems it a fit case to grant the concession of regular bail to the petitioner.

7. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

29.01.2026
Geeta

(SUBHAS MEHLA)
JUDGE

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