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

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Date of Decision: 17.03.2026

JUGRAJ SINGH ALIAS JAGGA**... PETITIONER****VERSUS****STATE OF PUNJAB****... RESPONDENT****CORAM : HON'BLE MR. JUSTICE H.S.GREWAL**

Present:- Mr. Anosh Samson, Advocate for the petitioner.

H.S. Grewal, J.(Oral)

1. This petition has been filed under Section 483 of the BNSS, 2023 for grant of regular bail to the petitioner in FIR No. 67 dated 01.05.2025 under Sections 109 of BNS, 2023 and Sections 25 of Arms Act (Sections 3(5), 61(2), 49, 249(b), 308(5) of the BNS Act and Sections 27, 54 and 59 of the Arms Act were added) registered at Police Station Ghoman, Police District Batala, District Gurdaspur.

2. The case of the prosecution is that the complainant and his son were present at their shop. While his son was closing the shop, the complainant was standing on the other side. In the meantime, three youths arrived in a motorcycle in front of the shop, and two of them fired shots from their pistols with an intention to kill his son. The bullet struck the glass outside the shop, creating a hole in it.

3. Learned counsel for the petitioner contends that the petitioner has been named along with 19 other co-accused, out of whom some are yet to be

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arrested. It is submitted that the petitioner has been implicated solely on the basis of the disclosure statement made by co-accused Akashdeep, who alleged that the petitioner had informed them about the shop where the firing took place. It is further submitted that merely pointing out a shop, which is a public place, does not constitute any incriminating role. He further submits that the petitioner is in custody since 06.06.2025 and, therefore, prays for the grant of regular bail.

4. Notice of motion.

5. Mr. P.S. Pandher, learned Assistant Advocate General, Punjab, accepts notice on behalf of the respondent-State and has vehemently opposed the prayer for grant of regular bail on the ground that the petitioner is a member of unlawful assembly, therefore, is not entitled to the concession of regular bail. He has filed the custody certificate in the Court today and the same is taken on record. He further submits that the petitioner is in custody for the last 09 months and 07 days and is involved in one more case under Arms Act. It is also submitted that challan has been filed and charges are yet to be framed.

6. I have heard the submissions made by the parties and gone through the record.

7. After hearing the rival contentions and considering the fact that the petitioner is in custody for the last 09 months and 07 days, no one has suffered any injury, and the petitioner has been implicated solely on the basis of a disclosure statement, coupled with the fact that the trial has not yet commenced and is likely to take considerable time to conclude, this Court is of the view that no useful purpose would be served by further incarceration of the



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petitioner. Moreover, it is a settled principle of law that “bail is the rule and jail is the exception.” Accordingly, this Court deems it appropriate to grant the concession of regular bail to the petitioner during the pendency of the trial.

8. 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 bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

9. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

10. It is clarified that if while on bail so granted through the instant order, the petitioner is found indulged in any other criminal case/activity, it shall be open to the State to seek cancellation of his bail.

17.03.2026
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(H.S.GREWAL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable:		Yes/No