



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

222

CRM-M-60431-2024

Date of Decision: 10.01.2025

Sandeep Singh @ Jassi

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. P.S.Ahluwalia, Advocate and
Mr. Gaurav Jain, Advocate
for the petitioner.

Mr. H.S.Sullar, Sr.DAG., Punjab.

Mr. Balraj Singh, Advocate for
Mr. Nirmaljeet Singh Sidhu, Advocate
for the respondent-complainant.

DEEPAK MANCHANDA, J.(Oral)

1. Petitioner has filed this second petition for grant of regular bail under Section 483 of Bharatiya Nagrik Suraksha Sanhita, 2023 in case FIR No. 86 dated 14.06.2024 under Sections 307, 341, 427, 148 and 149 of Indian Penal Code, 1860 and Sections 25 and 27 of Arms Act, 1959 registered at Police Station Talwandi Sabo, District Bathinda. First such petition bearing CRM-M-45567-2024 was dismissed as withdrawn vide order dated 23.10.2024.

2. The FIR was registered on the statement of Taranjit Singh with the allegations that his elder sister Baljit Kaur @ Jeeti is married with Bhola Singh having two sons, namely, Gurpreet Singh (now in USA) and Sukhpreet Singh @ Sukhi Baba running Aroma Hotel at Talwandi Sabo. Complainant further stated that on 14.06.2024, he was present at Singo and at about 9.30 a.m. a



telephonic call was received by Sukhpreet Singh alias Sukhi Baba from Ramandeep Singh alias Ramna that he along with Seepa and Chiman have come to hotel and they along with Sukhpreet Singh alias Sukhi Baba have to go to Bathinda and they asked Sukhpreet Singh to come fast. On this, complainant, Sukhpreet Singh and his friends Manna and Sheru, who were also present at his house, left on Skoda Car of Sukhi bearing registration No.HR-26CC-5725 and after reaching hotel, Ramna and his friends joined them in the Car of Rapen bearing registration No.DL12-CC-7051 and started towards Bathinda. When they reached in front of Guru Kashi College, Talwandi Sabo at about 10.30 a.m., Sukhwinder Singh Leader, brought his Figo car bearing registration No.PB-03AP-7784 and struck the same at the back of Skoda vehicle of complainant and others. Jassi brought his Scorpio vehicle bearing registration No.PB-03BM-3646 and parked it in front of them. Rajveer Singh Maan, Amrit Romana, Toti Singh, Reetha Singh and 4-5 unknown persons were also in the above said vehicles of Sukhwinder Singh Leader and Jassi. They all were armed with weapons. When the complainant and others alighted from their vehicle, Sandeep Singh alias Jassi fired from his pistol towards Ramna, but the same did not hit Ramna. Ramna started snatching the pistol from Sandeep Singh Jassi. In this process, he fired another gunshots, which hit the ground. Due to scuffle, the magazine of the pistol fell down on the ground, which was picked up by Jassi, whereas Ramna snatched the pistol. Sukhwinder Singh alias Leader fired a shot from his 12 bore riffle towards Sukhpreet Singh alias Sukhi with intention to kill him, which hit in his ribs on left side and its pellets hit Sukhpreet Singh on left arm, right wrist and hand, due to which blood started oozing out of the injuries. Sukhpreet Singh fell down on the



ground. Sukhwinder Singh alias Leader collected cartridges from his friends Toti and Reetha and fired 5-7 shots in the air. Rajveer Singh Maan was armed with sword, Amrit Romana was armed with baseball and unknown persons were also armed with baseball and Danda (wooden rods). They all gave injuries to Ramandeep Singh Ramna. People started gathering there. Then the accused persons fled away from the spot along with their respective weapons. Sukhpreet Singh alias Sukhi Baba was got admitted in Max Hospital, Bathinda from where he was referred to Adesh Hospital, Bathinda. On these allegations, FIR was registered.

3. Earlier, the petitioner had also filed a bail application before the trial court, which had been dismissed vide order dated 07.11.2024. After that, he approached this Court through CRM-M-45567-2024, which was dismissed as withdrawn vide order dated 23.10.2024. After withdrawing the earlier bail application, the petitioner has again approached this Court through the present bail application.

4. Learned counsel for the petitioner contends that the petitioner is in custody since 19.06.2024 and has been falsely implicated in the present case as the alleged gunshot injury has been attributed to co-accused, namely, Sukhwinder Singh @ Leader and no injury has been attributed to the petitioner. Learned counsel further submits that as per the allegations, the petitioner fired two shots from .32 bore pistol, but perusal of the record would show that nothing has been found/recovered at the spot to substantiate the alleged allegations. He also submits that the other co-accused, namely, Amrit Romana @ Jagsir Singh @ Jagseer Singh has been granted the concession of anticipatory bail vide order dated 27.11.2024 and Lakhwinder Singh @ Lakhi



has also been granted anticipatory bail vide order dated 20.12.2024. He submits that the challan stands presented on 17.09.2024, where charges have already been framed and out of total 36 witnesses, none has been examined so far. He submitted that the petitioner has no criminal antecedents and the conclusion of the trial will take sufficient time. Therefore, he prays that the petitioner be enlarged on regular bail.

4. *Per contra*, learned State counsel opposes the prayer for grant of regular bail to the petitioner, while submitting that the allegations against the petitioner are serious in nature as the petitioner has actively participated in the crime. Further, while relying upon the status report dated 09.12.2024, learned State counsel submits that accused Ramandeep Singh @ Ramna had presented a pistol, which he had snatched from present petitioner at the time of firing. He further submits that four empty cartridges were recovered from the spot. However, he does not dispute that petitioner is not involved in any other case.

5. I have heard learned counsel for the parties.

6. Petitioner is in incarceration since 19.06.2024.

7. It is not a case made out by the respondent-State that in case concession of bail is granted to the petitioner, he would hamper the course of free and fair trial. Further, a perusal of Annexures P-6 and P-7 would show that only four empty cartridges of .12 bore gun were recovered from the spot and neither a bullet nor any empty cartridge of .32 bore pistol were found as per the recovery memo, whereas only four empty cartridges of .12 bore gun were recovered from the spot; co-accused have already been granted the concession of anticipatory bail and the conclusion of trial would take sufficient time, as after withdrawal of earlier bail application i.e.on 23.10.2024, out of 36



prosecution witnesses, none has been examined till today, therefore, no useful purpose would be served in keeping the petitioner behind bars.

8. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

9. The petition is allowed.

(DEEPAK MANCHANDA)
JUDGE

10.01.2025

vanita

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