

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:092553



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CRM-M-16914-2025 (O&M)
Date of decision:24.07.2025

Palwinder Singh @ Laddi

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Gaurav Datta, Advocate for the petitioner.

Mr. Vivek Sharma, AAG, Punjab.

...

Manisha Batra, J. (Oral).

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No.28 dated 16.02.2024 registered under Sections 307, 34, 120-B IPC and Sections 25, 27 of the Arms Act, at Police Station City Tarn Taran, District Tarn Taran.

2. As per the allegations, on 16.02.2024, the complainant – Daljit Singh, was taking a hair cut in a barber shop when the petitioner along with co-accused Manjinder Singh reached there while riding a bike. Both of them stood outside the shop and started hurling abuses. He asked them the reason for doing so and then they disclosed that they had been asked by Vishal Kumar and Rajinder Singh Mali to kill the complainant and that they would get Rs.1 lakh. Then they left the shop while calling bad names to him.

Sometime thereafter, when the complainant was going back towards his house, the petitioner and co-accused intercepted him. Accused Manjinder Singh @ Mintu fired a shot towards him with an intention to kill him. He sustained injury in his abdomen. Thereafter, the assailants fled away. He was taken to hospital. By alleging that the petitioner and co-accused had assaulted him on provocation of co-accused Vishal Kumar and Rajinder Singh and with intent to kill him, he prayed for taking action on his complaint. The aforementioned FIR was registered. Investigation proceedings were initiated. During investigation, accused Rajinder Singh and Vishal Kumar were arrested. Accused Manjinder Singh @ Mintu could not be apprehended and was declared a proclaimed person. The petitioner was arrested on 16.02.2024. One country made pistol along with a magazine without cartridge was recovered from him. Investigation now stands completed and the petitioner along with co-accused is facing trial for commission of the aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case due to the reason that he is acquainted with co-accused Vishal Kumar and the complainant had enmity with the abovesaid Vishal Kumar, who had even lodged a case bearing FIR No.10 dated 10.01.2024 at Police Station City Tarn Taran against the complainant. It is alleged that this FIR is a counter-blast to the same and is containing the same allegations which were levelled by accused Vishal Kumar in FIR No.10. It is also argued that he had not caused any injury to the complainant. He is in custody since 16.02.2024. The trial would take considerable time to conclude. No useful purpose would be served by keeping the petitioner in

custody. With these broad submissions, it is urged that he deserves to be released on bail.

4. Notice of motion.

5. Learned State counsel has advanced notice of the petition and is ready to argue the matter. He has filed status report. He has submitted that the petitioner is a habitual offender being involved in two more cases. There are chances of his intimidating the witnesses or absconding, if extended the benefit of bail. The allegations against him are serious in nature and in connivance with the petitioner, co-accused Manjinder had fired a shot upon the victim thereby causing serious injuries to him. It is, therefore, argued that the petitioner does not deserve to be released on bail.

6. I have heard rival submissions made by learned counsel for the parties.

7. The petitioner is alleged to have hatched a conspiracy with the co-accused and in pursuance of that conspiracy, he along with co-accused Manjinder Singh is alleged to have gone to the barber shop wherein the complainant was present. Co-accused accompanied by him is alleged to have fired a shot with pistol upon the complainant. The gun shot injury has not been attributed to him. He is in custody since 16.02.2024. Trial has commenced but will take time to conclude. His involvement in other cases would not be considered to be reason for denying benefit of bail to the petitioner. It is well settled preposition of law that the bail is the rule and jail is an exception.

8. Keeping in view the above facts and circumstances but without meaning to make any comment on the merits of the case, lest they prejudice

the case of either of the parties, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate/CJM concerned.

9. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

24.07.2025

harjeet

(MANISHA BATRA)
JUDGE

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