



226 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-19509-2024
Date of decision : 21.07.2025

Arshdeep Singh @ Bittu

....Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Harpreet Singh Multani, Advocate
for the petitioner.

Mr. Raj Karan Singh, A.A.G., Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed by the petitioner praying for grant of regular bail in case FIR No.110 dated 14.09.2021 under Sections 307, 379-B, 458, 336, 323, 447, 448, 511, 506, 427, 148, 149 of IPC and Sections 25 & 27 of Arms Act, registered at Police Station Sadar Raikot, District Ludhiana Rural.

2. Succinctly the facts of the case are that the present case was registered on the statement complainant, namely, Harinder Singh. It was alleged that he had taken the marriage palace on lease and on account of same, the accused in the FIR were nurturing a grudge against him. It was alleged that on 11.09.2021, when he was sitting in his office in Crystal Marriage Palace then at about 9:30 pm, 05 cars came outside the marriage palace. The accused, namely, Gurvinder Singh @ Rabbi, Inderjit Singh and Arshdeep Singh @ Bittu (petitioner) etc. along with 19-20 unknown persons came duly armed with the weapons like *gandasa*, sticks etc. They raised *lalkara* and forcibly entered the marriage palace and started destroying the articles of the marriage palace. Arshdeep and Gurvinder Singh caught hold him and threw him on the floor. Lateron, he was beaten



up badly. After beating, all of them escaped from the scene of occurrence. Thereafter again on 14.09.2024, these accused came in a similar fashion duly armed and after beating the security guard snatched his licenced 12 bore rifle. The request was made to take the legal action against all the accused. On registration of FIR, investigation commenced. The petitioner was arrested on 20.12.2023. The investigating agencies on completion of the investigation, filed the charge-sheet. The petitioner approached the Learned Additional Sessions Judge, Ludhiana, praying for grant of bail, however, finding no merit, the same was declined after hearing both the sides by Learned Additional Sessions Judge, Ludhiana vide order dated 06.03.2024. Aggrieved by the same, the petitioner is before this Court praying for grant of bail by way of filing of present petition.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely prosecuted in the present case. He submits that as per the allegations made, the only role attributed to the petitioner that he caught hold the complainant. He submits that the ocular version is not even medically corroborated. He further submit that from the facts and circumstances of the case, offence under Section 306 IPC is not even made out. He submits that though the petitioner is involved in various other cases, however, in majority of the cases, he has been acquitted and in rest of the cases, he is on bail or completed his sentence. He submits that similarly situated co-accused has already been granted bail by this Court vide order dated 29.08.2022 passed in CRM-M-10732-2022. He submits that the petitioner is behind bars since the date of his arrest, however, even charges are not framed till date. He thus, submits that in the facts and circumstances of the case, the petitioner deserves to be granted bail.



4. Per contra, learned State counsel has opposed the submissions made by counsel for the petitioner and submits that the petitioner not only specifically named in the FIR but he has played an active role in the alleged occurrence. He submits that petitioner is a habitual offender as he is involved in 47 more cases. It is submitted that only challan has been presented till date, however, charges are yet to be framed.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioner was arrested on 20.12.2023. As per the allegations made in the complaint, the petitioner had caught hold the complainant. As submitted, similarly situated co-accused has already been granted bail by this Court. Though the petitioner is involved in 47 more cases, however, it has been submitted that in majority of the cases he has been acquitted and in rest of the cases he is on bail or has completed the sentence. The involvement of the petitioner in other cases in itself cannot be a ground for not entertaining the bail petition filed by the petitioner. In the facts and circumstances of the case in hand allows him to be released on bail. Despite the petitioner having been behind bars from last more than 1 ½ years only challan has been presented till date.

6. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety



bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

7. In case the bail bonds are not furnished by the petitioner during the period of 07 days from today, then his further custody period after one week will not be counted in the present case.

21.07.2025

ps-I

(**RAJESH BHARDWAJ**)

JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No