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

**CRM-M No.34822 of 2024  
Date of Decision: 24.03.2025  
Reserved on: 19.03.2025**

Dharminder Singh @ Goli

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Mr. Baldev Singh Maan, Advocate,  
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,  
for the respondent-State.

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**MANISHA BATRA, J.**

1. The present petition has been filed by the petitioner seeking regular bail in the FIR mentioned below:-

<b>FIR No.</b>	<b>Dated</b>	<b>Police Station</b>	<b>Sections</b>
181	01.09.2017	Beas, District Amritsar Rural	307, 224, 225, 353, 186, 148, 149 and 120-B of IPC and 25 of Arms Act, 1959

2. As per the allegations, on 01.09.2017, the complainant Sajjan Singh posted as Head Constable along with ASI Sukhjinder Singh

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and Constable Sukhjit Singh was going towards the Sessions Court, Amritsar for producing one Shubham Singh @ Shubham who was confined in Central Jail, Kapurthala, for the purpose of attending of a hearing by him, in a case bearing FIR No.72 of 2016 registered under Section 307 of IPC at Police Station Ram Bagh. The above named accused was handcuffed. The complainant along with the accused Shubham and other police officials boarded the Government bus. They had alighted at bus stop Village Subhanpur and then boarded another Punjab Roadways bus bound for Amritsar. On the way, bus took a halt at Bus Stand Village Riyya at about 11:45 AM. Eight-ten youths armed with firearms entered inside the bus. They were having two vehicles with them. They had a scuffle with the complainant and other police officials and succeeded in getting the accused Shubham released from them. They got down from the bus. The complainant and other police officials followed them but the assailants opened firing at them with intention to kill them and one of the bullet had hit on the right leg of ASI Sukhjinder Singh. The complainant identified one of them as Sahil. On his statement, the aforementioned FIR was registered. Investigation proceedings were initiated. During investigation, the presence of accused Shubham Singh who was arrested in some other case, was secured. He was arrested in this case on 11.09.2019. He suffered disclosure statement on the basis of which the present petitioner and other co-accused were nominated. The petitioner was arrested on 05.07.2023. Investigation has since been completed and the petitione along with the co-accused is facing trial for

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commission of aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statement of co-accused Shubham Singh. He was not identified by the driver and conductor of the bus in which the incident allegedly took place. He was not named in the FIR. No incriminating material has been collected against him. He is in custody since long. No useful purpose would be served by keeping him in custody any more. The co-accused Harvinder Singh has been extended benefit of bail. He has been granted bail, discharged or acquitted in many of the cases as registered against him. His involvement in other cases is not a ground to deny benefit of bail to him. With these broad submissions, it has been urged that the petition deserves to be allowed.

4. Status report was filed by the respondent-State. Learned Assistant Advocate General, Haryana has argued that the petitioner in connivance with the co-accused got the accused Shubham Singh released from police custody on 01.09.2017 while causing obstruction in the discharge of official duty of police officials. He along with the co-accused had also made an attempt to kill the police officials and had caused a firearm injury to ASI Sukhjinder Singh. There are serious allegations against the petitioner. Mere prolonged incarceration is not a ground to extend benefit of bail to the petitioner. Therefore, it is argued taht the petitioner does not deserve to be released on bail.

5. Learned counsel for both the parties have been heard at

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considerable length.

6. The petitioner is alleged to have formed membership of an unlawful assembly on 01.09.2017 and in prosecution of common object of that unlawful assembly, the co-accused and petitioner are alleged to have committed offence of rioting after entering into the bus in which the co-accused Shubham was taken to Amritsar Court. He along with co-accused is alleged to have caused obstruction in performance of duty of police officials who were taking accused Shubham to court, and is alleged to have managed their escape. As per the allegations, attempt to kill a police official ASI Sukhjinder Singh had been made by firing shot upon him. The petitioner is in custody in this case since 05.07.2023. As per the custody certificate, he has been involved in 22 other cases, some of which are of similar nature. The allegations against him are serious in nature. It is well settled proposition of law that when the allegations against an accused are grave in nature, then the mere fact that he has undergone certain period of incarceration or that trial is likely to take time by itself are not grounds to entitle an accused to be enlarged on bail. The fact that the driver and conductor of the bus have not supported the prosecution version can also not be held to be sufficient since the complainant and other eye witnesses including injured are yet to be examined. Keeping in view the antecedents of the petitioner, the nature of the allegations as levelled against him, the quantum of sentence which the conviction may entail and the attendant facts and circumstances but without meaning to make any comment on the merits

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of the case, I am of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

**(MANISHA BATRA)**  
**JUDGE**

**24.03.2025**

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Whether speaking/reasoned  
Whether reportable

Yes/No  
Yes/No