



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

229/1

CRM-M-3532-2025

Date of decision: April 01, 2025

SANDEEP SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Kanwaljeet Singh Brar, Advocate
for the petitioner.

Mr. Shiva Khurmi, AAG, Punjab
with Inspector Guranditta Singh.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition has been filed under Section 483 of the BNSS, 2023 for grant of regular bail to the petitioner in case FIR No.146 dated 14.09.2024 (Annexure P-1) under Sections 109, 351(3), 191(3), 190, 111(2)(b) of BNS, 2023 (Section 61(1)(2) of BNS added later on) and Section 25 of Arms Act and Sections 4/5 of Explosive Substances Act, 1908, registered at Police Station Sadar Faridkot, District Faridkot.

2. Learned counsel for the petitioner submits that the petitioner has been in custody since 16.09.2024. It has been submitted that false and fabricated allegations have been levelled against the petitioner, who was not named in the FIR in question, nor any suspicion raised *qua* his involvement in the alleged occurrence, rather he came to be nominated as an accused on the basis of a supplementary statement made by the complainant, who stated that the petitioner was also one of the participants in the alleged occurrence. Learned counsel for the petitioner has asserted that no doubt one fire arm injury has been sustained by the brother of the complainant, namely Hardeep



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Singh, however, the said injury has not been attributed to the petitioner. Learned counsel has further submitted that investigation in the present case is complete as challan already stands presented. It has been contended that there is little likelihood of the trial concluding in the near future as none of the 18 prosecutions witnesses have been examined till date and charges have also not yet been framed. Learned counsel submits that in the facts and circumstances, keeping in view his long custody period, no useful purpose would be served in still keeping him behind bars as the trial would take considerable time to conclude. It has also been brought to the notice of this Court that identically placed co-accused Kaku Singh has already been extended the concession of regular bail by this Court vide order dated 17.01.2025.

3. Learned State counsel, while opposing the prayer and submissions made by the counsel opposite, on instructions, has not been able to dispute the fact that the petitioner was not named in the FIR and his name was added later on by way of supplementary statement made by the complainant. Learned State counsel has also not disputed that the fire arm injury sustained by injured Hardeep Singh, has not been attributed to the petitioner but to co-accused Love, with whom the complainant allegedly had some previous history of animosity. On further instructions, learned State counsel has not disputed the custody period of the petitioner and the stage of trial.



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4. On a further query put to the learned State counsel, he, on instructions, has submitted that the petitioner has clean antecedents and is not involved in any other criminal case.

5. I have heard learned counsel for the parties and perused the relevant material placed on record.

6. As not disputed by the learned State counsel, the petitioner's name surfaced in the supplementary statement made by the complainant. Investigation in the case in hand is complete as challan stands presented. The likelihood of the trial concluding in the near future seems unlikely.

7. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to allow the instant petition, and extend the concession of regular bail to the petitioner.

8. The petition as such is allowed, and the petitioner be admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

9. Needless to add here, in case the petitioner is found misusing the concession of bail, the State would be at liberty to approach this Court to seek cancellation of bail to him.

April 01, 2025
Jaspreet Kaur

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*