



318 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-12302-2025 in/and
CRM-M-12741-2025
Date of Decision: 01.04.2025

Simranjit Singh @ Simarjit Singh ...Petitioner
vs.
State of Punjab ...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Ms. Isha Goyal, Advocate
for the applicant-petitioner.

Mr. Deepinder Singh Brar, Senior DAG, Punjab.

N.S.Shekhawat J. (Oral)

CRM-12302-2025

1. The applicant/petitioner has moved the present application with a prayer to prepone the date of hearing in the main case.

2. For the reasons mentioned in the application, the same is allowed. The main case is taken on Board today itself.

CRM-M-12741-2025

1. On the oral request made by learned counsel for the petitioner, the offence under Section 125 of BNS is ordered to be added in the head note as well as in the prayer clause of the main petition. Learned counsel for the petitioner is permitted to carry out the necessary correction in the Court itself.

2. The petitioner has filed the instant petition under Section 483 of BNSS with a prayer to grant regular bail to him in case FIR No.249 dated 16.12.2024 registered under Sections 109, 3(5) of BNS and Sections 25 and 27



of Arms Act, (Section 109 of BNS deleted vide GDD No. 14 of 15.03.2025 and Section 125 BNS, 2023 has been added), at Police Station Kamboj, District Amritsar Rural.

3. The FIR in the present case was registered on the basis of the statement made by Gurbhej Singh @ Bheja son of Lakha Singh and the same has been reproduced below:-

“Statement of Gurbhej Singh @ Bheja son of Lakha Singh resident of House No. 214, Gali No. 4, Guru Gobind Singh Nagar, Majitha Road, Amritsar aged about 39 years Mobile Number 99880-05283. It is stated that I am resident of the above-mentioned address and I am working in a jewellery shop at Majitha Road, Amritsar. My family goes to Hari Bhagat Dwaar, Village Jethuwal every month on Sankrant to pay our obeisance. On 15-12-2024, my mother father, my brother, me and my wife and my children like every Sakrant went to pay obeisance on this Sakrant as well at Hari Bhagat Dwaar, Village Jethuwal where the Satsang of Maharaj ji was going on and I was listening to it with other devotees that around 11:30 PM we could hear the voices of fights of some devotees from the Langar Hall, while fighting and making noises they came to the parking of the Dera, I also came behind them to the parking of the Dera where Jatinder Singh son of Kashmir Singh resident of Jethuwal, Police Station Kamboj, District Amritsar was fighting with the Sewadaars and during this Simranjit Singh son of Jabir Singh resident of Gulmarg Colony, Jalandhar who had an uncovered pistol in his hand was coming while raising Lalkaras in the meanwhile Jatinder Singh raised a Lalkara and said shoot him and kill him that Simranjit Singh with his pistol with an intention to kill fired upon me but the devotees standing near him tried to snatch his pistol due to which the shot hit me on my right foot due to which my foot started bleeding and



my younger brother Harwinder Singh seeing me injured arranged a vehicle and took me to Amandeep Hospital Amritsar for treatment where I am admitted. The reason for fight was that a few days back the said Jatinder Singh had also fought in the Pakhowal Branch, Ludhiana of Hari Bhagat Dwaar. While keeping the fight in his heart once again the said Jatinder Singh alongwith his accomplice Simranjit Singh fired upon me with his pistol and hit me on my foot. With which I have been injured. Appropriate legal action be taken against the said two young persons and justice be given to me. Got my statement recorded, have read and heard it, it is correct. Sd/-Gurbhej Singh.”

4. Learned counsel for the petitioner contends that the occurrence had taken place on 15.12.2024 and the FIR in the present case has been got registered by the complainant, after a delay of more than 25 hours and the said time was utilized by the complainant in coining a false version. She further contends that it is case of version and cross-version and on the basis of the statement made by Jatinder Singh, a DDR No.19 dated 19.12.2024 was registered against the complainant side at Police Station Kamboj, District Amritsar Rural. She further contends that even the complainant and his companions had inflicted 14 injuries on the person of Jatinder Singh and the complainant side managed to get their medical record prepared in collusion with doctors of private hospitals. The petitioner was arrested in the present case on 17.12.2024 and now, during the course of investigation, the offence under Section 109 of BNS deleted and Section 125 of BNS has been added by the police. Even, all the offences against the present petitioner are bailable in



nature except the offence under Sections 25 and 27 of Arms Act. The investigation is complete and the challan has been presented against him.

5. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court. However, he does not dispute the fact that the offence under Section 109 of BNS has been deleted in the present case.

6. I have heard the learned counsel for the parties and perused the record.

7. The petitioner is stated to be in custody for the last more than 03 months and the investigation is complete. Even the injured has been discharged from the hospital and is hale and hearty. Since the prosecution has not been able to examine even a single witness and no purpose will be served by keeping the petitioner behind bars.

8. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

(N.S.SHEKHAWAT)
JUDGE

01.04.2025
hemlata

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