



211 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-26379-2024

Date of decision : 02.05.2025

Charanpreet Singh

...Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Vipin Mahajan, Advocate for the petitioner.

Mr. J.S. Arora, D.A.G., Punjab assisted by
ASI Rajbir Singh.**RAJESH BHARDWAJ, J. (Oral)**

1. Present petition has been filed by the petitioner praying for grant of regular bail in case FIR No.67 dated 07.03.2024, under Sections 307, 323, 427, 506 & 34 of IPC and Section 25 and 28 of Arms Act, registered at Police Station Civil Lines Batala, Police District Batala, District Gurdaspur, Punjab.

2. Succinctly the facts of the case are that the present case was registered on the statement of complainant, namely, Tejinder Singh. It was alleged that on 06.03.2024 at about 8:30 PM he along with his wife and daughter were going in their car make Swift to attend some wedding function. On the way, they saw that Charanpreet Singh @ Preet (petitioner) was also going ahead of them in his car bearing No.PB-857272. He turned his vehicle and stopped their car. After coming out of the car, he pulled the complainant out of the car and started beating him. His wife and daughter tried to save him, however, Charanpreet Singh @ Preet took out his revolver and fired in order to kill him. However, the fire passed over his head. On seeing the commotion, the crowd gathered and hence, the assailant escaped from there. The request was made to take



legal action against the culprit. On registration of FIR, investigation commenced. Petitioner was arrested on 07.03.2024. On completion of investigation, challan was presented and on framing of charges the trial commenced. The petitioner approached the Learned Additional Sessions Judge, Gurdaspur, praying for grant of bail, however, finding no merit, the same was declined after hearing both the sides by Learned Additional Sessions Judge, Gurdaspur vide order dated 15.05.2024. 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 contended that the petitioner has been falsely implicated in the present case. He submits that in all there are 03 accused named in the FIR out of which 02 of the co-accused have already been granted bail. He submits that allegations made against the petitioner are qua firing and charge is also framed for the same, however, in the facts and circumstances of the case, no prima facie case as alleged under Section 307 IPC is made out against the petitioner. He submits that the petitioner is behind bars since the date of his arrest and two material witnesses have already been examined. He submits that though the petitioner is falsely implicated in one more case, however, he is on bail in the said case and thus, he 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 case of the prosecution is based on the eye-witness account and the petitioner had played an active role while firing upon the complainant. He submits that the complainant had been examined and supported the case of the prosecution. He submits that the petitioner is facing prosecution in one more case. He, on instructions, has submitted that out of total 20



prosecution witnesses only 02 witnesses have been examined so far. He has produced the custody certificate of the petitioner on record.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioner was arrested in the case on 07.03.2024 and since then he is behind bars. As submitted before this Court, out of 03 accused, 02 accused have already been granted bail and out of 20 prosecution witnesses, only 02 witnesses have been examined so far. Material witnesses i.e. complainant and the eye-witness have already been examined. The custody certificate produced would show that he has suffered an incarceration of 01 year, 01 month and 21 days as on 01.05.2025. Custody certificate further reflects that the petitioner has no criminal antecedents as he has never been involved in any other case.

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.

02.05.2025

ps-I

(**RAJESH BHARDWAJ**)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No