



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

240

CRM-M-60041-2024

Date of decision: July 7th, 2025

Sahib Singh @ Sahib Singh Khural

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. P.S. Ahluwalia, Advocate
with Ms. Bhavi Kapur, Advocate
for the petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J.

This is the second petition filed by the petitioner seeking the concession of regular bail in FIR No.71 dated 27.04.2023 registered under Sections 307, 120-B of the Indian Penal Code, 1860 and Section 25 of The Arms Act, 1959, at Police Station City Rupnagar.

2. Learned counsel for the petitioner contends that the petitioner has been in custody since 27.04.2023 in connection with a case arising out of an incident involving alleged open firing at one Jasvir Singh alias Jassi. It is specifically pointed out that the case does not pertain to any bodily injury caused to the complainant or any other person.

3. Drawing the attention of the Court to the zimni orders, which have been placed on record today, learned counsel has further stated that following the filing of a supplementary challan on 09.05.2024, in relation to a co-accused Amritpal Singh, a *de novo* trial has now commenced. It is submitted that, in light of this development, the likelihood of the trial

concluding in the near future is remote. Therefore, a prayer has been made for granting the concession of regular bail to the petitioner, particularly keeping in view the prolonged incarceration and slow pace of trial.

4. *Per contra*, learned State counsel, while opposing the prayer and submissions made by the counsel, has reiterated the gravity of allegations against the petitioner, by arguing that the incident in question took place within the Courtroom of the learned Magistrate, Roopnagar, while the Court was in session.

5. However, on instructions, learned State counsel is unable to dispute the fact that the case is one where no injury was caused. He also does not dispute, on instructions, the custody period of the petitioner or the current stage of trial. Notably, no apprehension has been expressed by the learned State counsel regarding the likelihood of the petitioner absconding or evading the course of justice if released on bail. However, it has been asserted by the learned counsel that in case the petitioner is enlarged on bail, stringent conditions may be imposed upon him so as to ensure his presence before the trial Court on each and every date of hearing.

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

7. It is not disputed that the petitioner has been in custody since 27.04.2023 and after the charges were framed on 17.08.2023, only nine out of 22 prosecution witnesses including all the material witnesses have been examined. Further, a *de novo* trial has now commenced pursuant to the filing of supplementary challan against co-accused Amritpal Singh on 09.05.2024, thereby extending the expected duration

of the proceedings before the trial Court. The case is also one where no physical injury has been inflicted upon the alleged victim.

8. In the given circumstances, taking into account the long custody period of the petitioner, the limited progress of trial, and the absence of any cogent apprehension regarding the misuse of liberty or tampering with evidence, more so when all the material witnesses stand examined, this Court deems it fit to extend the concession of bail to the petitioner. Accordingly, the instant petition is allowed and the petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned, which may impose any such stringent conditions as it deems fit to secure the presence of the petitioner on each and every date of hearing.

9. 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.

10. Needless to say, in case the petitioner misuses the concession of bail, the State would be at liberty to seek cancellation of the same.

July 7th, 2025

Puneet

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No