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

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**CRM-M No.22413 of 2025
Date of Decision: 20.05.2025**

Arshdeep Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ramdeep Partap Singh, Advocate,
for the petitioner.

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

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short "BNSS") seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
136	23.10.2024	Dera Baba Nanak, Batala, District Gurdaspur	109, 111 and 308(4) of the Bharatiya Nyaya Sanhita, 2023 (For short "BNS") (111(5) and 112 of BNS added later on) and 25 of the Arms Act, 1959

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of statement got recorded by the complainant Randeep Singh, alleging therein that on 23.10.2024, he along with his assistant Akash was present in his medical store, when one youth reached there and gave him a signal

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to come to him and when the complainant reached near him, he took out a pistol and fired a shot towards the complainant thereby injuring his left thigh. The complainant raised a clamour and on hearing the same, his brother rushed for his rescue and then the assailants fled away. After registration of FIR, investigation proceedings were initiated. During investigation, a secret information was received that the accused Anmoldeep Singh was the person who had made an attempt to murder the victim and after the occurrence, co-accused Manjit Kaur, who is mother of the above said accused along with her husband had provided shelter and motor bike to the accused and they were fully aware about the incident. Offence under Section 111(5) of BNS was added. During investigation, the accused Jobanpreet Singh was arrested. He suffered a disclosure statement and on the basis thereof, the petitioner was nominated as an accused. He was arrested on 26.12.2024. Investigation now stands concluded.

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 the co-accused that cannot be considered to be admissible in evidence. There is no material on record to connect him with the subject offences. He was in custody on the date of the alleged incident and, therefore, there is no possibility of his participating in the same. Most of the co-accused have been extended benefit of bail. On parity, he too deserves to be extended the same benefit. Accordingly, it is stressed that the petition deserves to be allowed.

4. *Per contra*, learned Assistant Advocate General, Punjab has

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submitted that there are serious allegations against the petitioner. He is a habitual offender since as many as three others cases have been registered against him. There are chances of petitioner's intimidating the witnesses or absconding, if extended benefit of bail. Therefore, it is urged that he does not deserve to be released on bail.

5. This Court has considered the rival submissions.

6. The petitioner was not named in the FIR and was nominated as an accused on the basis of disclosure statement of co-accused Jobanpreet Singh. The co-accused against whom similar allegations have been levelled have been extended benefit of bail. The petitioner is in custody since 26.12.2024. Trial is likely to take considerable time to conclude. His further incarceration would not serve any useful purpose. It is well settled proposition of law that bail is the rule and jail is an exception. Keeping in view the above discussed facts and circumstances but without meaning to make any comment on the merits of the case, this Court is of the considered opinion that the petition deserves to be allowed. The same is accordingly allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

20.05.2025

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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No