



**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(229)**

CRM-M-53640-2025 (O & M)

Date of decision: 26.09.2025

Deep Kumar @ Deepu

.... Petitioner

V/s

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Rakesh Kumar, Advocate, for the petitioner.

Mr. M.S. Toor, AAG, Punjab.

Mr. Jasraj Singh, Advocate, for the complainant.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition under Section 483 of the BNSS, 2023 is for the grant of the regular bail to the petitioner in case FIR No.0052 dated 12.03.2024 under Sections 307, 458, 195-A, 436, 511, 379-B, 323, 325, 427, 148, 149 and 201 IPC & Sections 30/27/54/59 of the Arms Act, registered at Police Station Tanda, District Hoshiarpur.

2. The present FIR came to be registered at the instance of Jaswinder Singh and reads as under:-

First Information contents: Statement of Jaswinder Singh S/o Bakhshish Singh R/o Rani Pind Police Station Tanda Distt. Hoshiarpur aged 53 years Mb.No.99147-89240 stated that I am resident of abovementioned address and am agriculturist. On 10.03.2024 there was marriage of my son Maninder Singh and due to marriage our relatives were at our home. On 11.03.2024



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at about 6:30 PM, I alongwith my son Maninder Singh, my wife Sarabjit Kaur, my sister Rupinder Kaur W/o Hardeep Singh R/o Keeri Afgana PS Sri Hargobindpur District Gurdaspur and my daughter in law Shubpreet Kaur were present at our home and we were all sitting in our house and talking and counting the Shagun money. My son gave his golden chain (Kaintha) & golden Karah to his mother and my daughter in law also gave golden set and bangles to my wife (her mother-in-law) and we were counting the wedding money. Suddenly, we heard shouting noise from outside in the street and then I looked over the wall of my house Surjit Singh S/o Chanan Singh armed with double barrel gun, Mandeep Singh S/o Surjit Singh armed with Dater, Amrik Singh S/o Milkha Singh and Dalbir Singh S/o Chanan Singh empty handed, Gurnek Singh Harnek Singh S/o Harmitter Singh residents of Rani Pind and brother-in-law of Mandeep Singh R/o of Bhatnura, armed with Stick alongwith 15/20 persons armed with Dater, Baseball and Sticks, standing in the street. On seeing me, Surjit Singh raised alarm/Lalkara saying catch him, we must teach him lesson for giving evidence against us and with his gun he fired in the air. Then all of them started throwing bricks towards my house by uprooting the bricks of the khurli built in Tahil Singh's Haveli and Gurnek Singh @ Harnek Singh took out his revolver and fired on me with intention to kill me. Which passed over my head because I was standing below? I run and went inside. In the meanwhile Mandeep Singh alongwith other unknown persons and along with their weapons came in front of our house and with the help of Dater, Baseball and sticks broken the gate of our house and entered into our house along with their weapons. Mandeep Singh gave blow with back side of his Datar on my son Maninder Singh as soon as he came inside, which hit him on the nose. Then I came to save my son, Mandeep Singh gave blow with reverse side of his Datar that hit on my nose. Those



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unknown persons also gave blow with reverse side of their Datar that hit on backside of my right and left thigh. And second unknown person gave stick blow on my back. Then Brother-in-law of Mandeep Singh gave stick blow that hit on my forehead. One unknown person gave blow with baseball that hit on left hand writ of my son. My sister Rupinder Kaur started making video of the scene on her mobile. Then those above-mentioned persons broken the glasses of windows and doors of our house and also damaged our Bullet MARKA Motorcycle No. PB-07-Z-5382 and my new swift car, parked in the courtyard of our house, which I bought two months ago. Mandeep Singh damaged the household items lying in my kitchen and after cutting the gas cylinder pipe with Dater and tried to set the house on fire and started saying that today we have to set your house on fire and kill everyone. Mandeep Singh and other unknown persons also taken away the golden jewellery and shagun money worth about 50/60 thousand rupees lying in the courtyard. When my wife-Sarabjit Kaur tried to take those golden jewellery and cash from the said persons, they gave her slaps on her face and also removed the golden ear rings from her ears. Brother-in-law of Mandeep Singh then snatched the mobile from my sister Rupinder Kaur who was making the video recording on her mobile. When our family shouted Mar Ditta, Mar Ditta the people in the neighbourhood gathered together. On seeing them all the abovementioned accused persons fled away from the spot with snatched mobile phone, gold ornaments and cash along with their weapons. My brother's son-KhushdeepS jinghS/o Buta Singh took me and my son to Civil Hospital Tanda where the doctors after giving treatment, referred us to the hospital. Then my uncle's son Khushdeep Singh S/o Boota Singh R/o Rani Village took both of us and got us admitted in Johal Hospital Batala where the doctor gave us treatment and referred us. The main reason



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behind this entire occurrence is that on 04.09.2019 said Mandeep Singh, Surjit Singh and Dalvir Singh cause injuries on the person of my neighbour Ratan Singh S/o Piara Singh whereupon a FIR No. 213 dated 10.09.2019 U/S 323,341,452,307,379,506, 148, 149 IPC and Section 30 of Arms Act was registered against them at P.S Tanda. In that case, I was the eye witness and they were threatening me not to depose against them. Due to this reason, they caused injuries on my person and my son, damaged our house and tried to set the house on fire. Action as per law may be taken against them. I have read the statement and found it correct. Sd/-Jaswinder Singh. Attested by Lok Ram ASI Police Post, Basti Bohra P.S. Tanda dated 12.2.2024...

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He has not been named in the FIR but has been nominated as an accused only on the basis of disclosure statement of his co-accused-Mandeep Singh @ Malhi who himself has been granted the concession of bail. As he is in custody since 01.12.2024, none of the 24 prosecution witnesses has been examined so far, the Trial of the present case is not likely to be concluded anytime soon and therefore, the petitioner is entitled to the concession of bail, moreso, when five co-accused have been granted the similar concession.

4. The learned counsel for the State and the counsel for the complainant have not dispute the factual position but contend that the allegations levelled against the petitioner and his co-accused are grave and therefore, he is not entitled to the concession of bail. They, however, concede that the petitioner is in custody since 01.12.2024 but none of the 24



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prosecution witnesses has been examined so far and that some of the co-accused have been granted the concession of bail.

5. I have heard the learned counsel for the parties.

6. As per the case of the prosecution, the petitioner was not named in the FIR but came to be nominated as an accused on the basis of a disclosure statement of his co-accused/Mandeep Singh @ Malhi. He is stated to be in custody since 01.12.2024 but none of the 24 prosecution witnesses has been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. Five co-accused of the petitioner, namely, Surjit Singh, Mandeep Singh @ Malhi, Harpreet Singh @ Happy, Joswha @ Joseph @ Bagga and Manual @ Sabi have been granted the concession of bail. In this situation, the petitioner can be granted the similar concession of bail.

7. Thus, without commenting upon the merits of the case, the present petition is allowed and the petitioner, namely, Deep Kumar @ Deepu is ordered to be released on bail to the satisfaction of the Trial Court/Duty Magistrate concerned.

8. The petitioner shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform in writing each time that he is not involved in any other case except the present one.

9. In addition, the petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.25,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from Trial without sufficient cause.



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10. The present petition stands disposed of.
11. The pending application(s), if any, shall stand disposed of accordingly.

(JASJIT SINGH BEDI)
JUDGE

September 26, 2025
sukhpreet

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No