

2025:PHHC:069049



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

**CRM-M-28177-2025
DECIDED ON: 22.05.2025**

GULAB SINGH

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Pardeep Panwar, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. Prayer

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 (438 of Cr.P.C.) for grant of anticipatory bail to the petitioner in FIR No.182, dated 09.05.2025, under Sections 115, 190, 191(3), 351(2) of BNS, 2023 and Section 25 of Arms Act, registered at Police Station Nissing Karnal.

2. Prosecution story setup in the present case as per the version in the FIR as under:-

“The brief facts of the FIR are that the present FIR has been registered on the complaint of complainant Harjinder Singh son of Shri Gurnam Singh, resident of village Nissing, in which he alleged that on 28.04.2025 at about 2:30 p.m. my son Shubhkaran Singh, Navroop Singh, Tejvir Singh and Gurdayan Singh resident of Nissing were eating pizza at Hanagari Villa, in the meantime, Shailpreet Singh @ Preet Brar son of Gurmail Singh, Arshdeep Singh and Gulab

Singh resident of Nissing, district Karnal came there and on seeing his son, started threatening him and his son and others person said get out of here, they want to see him and at the same time Shubhakaran Singh and Navroop Singh called them and also called the parents that Shailpreet Singh and others are threatening them. Thereafter, he and father of Navroop Singh and others came to Dharmpal son of Joga Singh, then they said that Arshdeep Singh along with Shailpreet tried to convince their boys. At that time, Shailpreet, Arshdeep Singh, Gulab Singh, Janpal Singh and 3-4 other persons came to the house of Dharmpal Singh in Sawarn Enclave and told them to get out of here. When they tried to convince them, Arshdeep Singh tried to fire at them three times with the country made pistol. After this, Gulab Singh also tried to fire but due to some reason fire was not done and the life of children was saved by the country made pistol. Thereafter otherwise, they tried to kill their children and also beaten them. That Nawab Singh son of Hardeep Singh resident of Nissing tried to escape them from the clutches of accused persons, then the friend of Arshdeep Singh attacked Nawab Singh from his iron kada, due to which he got injured on the head. during this, the friend of Arshdeep Singh broken the glass of car of Dharmpal Singh. They have run away from there. The CCTV footage of this act with them. He prayed to take legal action against them.”

3. **Contention**

On behalf of the petitioner

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and that no specific injury has been attributed to him. It is further submitted that the sole allegation against the petitioner is that he allegedly attempted to fire a country-made pistol at the complainant on three occasions; however, it is an admitted fact that no shots were fired. The counsel also submits, on behalf of the petitioner, that he is ready and

willing to cooperate with the investigation and join the same as and when required.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. Chetan Sharma, DAG Haryana, accepts notice on behalf of respondent/State. He prays for dismissal of the present petition stating that the petitioner alongwith his co-accused has actively participated in the commissioning of offence.

4. **Analysis**

Be that as it may, having given a considerable thought to the submissions made hereinabove especially to the fact that the story of the prosecution is highly improbable for the reason that three alleged attempts were made without resulting in any gunshot injury to the complainant, it raises serious doubts about the credibility of the prosecution's case, It is further noted that the petitioner, in paragraph 10 of his petition, has furnished an undertaking to abide by the terms and conditions that may be imposed by the Court in the event of grant of anticipatory bail.

In the light of above, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein he has *bona fide* intentions and is ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

5. **Relief:-**

Hence, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his

satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

'When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.'

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

22.05.2025

Meenu

Whether speaking/reasoned *Yes/No*
Whether reportable *Yes/No*