



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

**103 (2 cases)**

**1.**

**CRM-M-27020-2025**

**Date of decision: 26.05.2025**

Veer Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

**2.**

**CRM-M-27022-2025**

Avtar Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present : Mr. L.S. Sidhu, Advocate for the petitioners.

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**MANJARI NEHRU KAUL, J.**

1. Petitioners Veer Singh (in CRM-M-27020-2025) and Avtar Singh (in CRM-M-27022-2025), have approached this Court under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking the concession of anticipatory bail in connection with FIR No.105 dated 17.12.2024 under Sections 103(1), 109, 61(2), 62, 190, 191(3), 351(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 25, 27 of the Arms Act, 1959 (Sections 117(2), 118(1) of Bharatiya Nyaya Sanhita, 2023 added lateron) registered at Police Station Chohla Sahib, District Tarn Taran, pertaining to the alleged murder of Shamsheer Singh (hereinafter referred to as 'deceased').

2. Learned for the petitioners has vehemently argued that the petitioners have been falsely implicated in the instant case and have not



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been attributed any fatal injuries upon the deceased. It has been contended that, as per the FIR (Annexure P-1), no specific role or overt-act has been attributed to either petitioner with respect to causing any injury to the deceased. It is further submitted that petitioner Veer Singh is alleged to have been armed with a single-barrel firearm gun, whereas petitioner Avtar Singh is alleged to have carried a *gandasi*. However, it has been argued by the learned counsel that the fatal firearm injury, which is stated to have caused the death of the deceased, has been specifically attributed to co-accused Nishan Singh, which clearly indicates that the present petitioners have no direct involvement in the act leading to the murder of the deceased.

3. Notice of motion.

4. On asking of the Court, Mr. H.S. Deol, Sr. DAG, Punjab, accepts notice on behalf of the respondent-State.

5. At this stage, Ms. Poonam Singh Thakur, Advocate has entered appearance and filed her vakalatnama on behalf of the complainant which is taken on record.

6. Learned State counsel, assisted by learned counsel for the complainant, has vehemently opposed the prayer and submissions made by the counsel opposite. Learned counsel for the State as well as the complainant has drawn the attention of this Court to the detailed allegations set forth in the FIR, which stands reproduced hereinunder:-

*“Statement of Mohinder Singh son of Gurdeep Singh son of Ravail Singh, resident of village Chanba Kalan, Police Station Chohla Sahib aged about 46 years, Mobile*



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No.98141-21625. Stated that I am resident of above said address and is doing agriculture work. That 22 acres of land is owned by me is situated in Mand area across the Beas river. This land is owned by our uncles as co-sharers and joint. I am cultivating this land from last 25 years. On our this land Balwinder Singh, Daljit Singh sons of Sameer Singh residents of village Chamba Kalan are also claim right over this land. Today at about 5.15 PM on my red color tractor make Mahindra was going along with my son Harpreet Singh and my cousin in relation namely Shamsher Singh, Devinder Singh sons of Karnail Singh residents of village Chamba Kalan fro sowing the wheat crop. At about 5.30 PM when we were in our fields and seen that already Palwinder Singh @ Pindu son of Savinder Singh resident of Chamba Kalan was sowing wheat crop with this tractor make Arjun Mahindra. When we were about to enquire from him then already sitting prepared Jagtar Singh son of Dheera Singh armed with pistol, Balwinder Singh son of Sameer Singh armed with dang, Arshdeep Singh armed with dang, Jagrup Singh @Jupa armed with Datar sons of Balwinder Singh, **Veer Singh** son of Bali Singh armed with Single barrel gun, Nishan Singh son Kabal Singh armed with 12 bore gun, Jodhbir Singh son of Nishan Singh empty handed, Akashdeep Singh son of Paramjit Singh armed with 12 bore gun, **Avtar Singh** son of Bali Singh armed with Gandasa, Joban Singh son of **Avtar Singh** armed with baseball, Daljit Singh son of Sameer Singh empty handed, Harjinder Singh son of Balbir singh armed with dang, residents of village Chamba Kalan and Kagha Singh son of Heera Singh resident of village Kambo Dhaewala armed with Hockey. They all at once gathered and Balwinder Singh and Joginder Singh raised lalkara and said that they may not scot free, given them taste of sowing the crop. Meanwhile Nishan Singh given.12 bore gun shot on Shamsher Singh with the intention to kill which hit on his chest and Shamsher Singh fell down on the ground in the field. Then Akashdeep Singh given his gun shot with the intention to kill upon Devinder Singh which hit on his left thigh joint. I raised noise then Palwinder Singh try to run his tractor upon me then I saved my life by running aside. Then I and my son Harpreet Singh raised noise at high pitch. Then all assailants started given threats to kill to me and my son Harpreet singh and ran away from the spot with their respective weapons. While going back they also took my tractor also with them. I and my son Harpreet Singh looked Shamsher Singh who has died to gun shot and Devinder Singh was in injured condition. Then I left my son Harpreet Singh with the dead body of Shamsher



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*Singh and injured Devinder Singh and sailing on the boat went to my village Chamba Kalan for information. Then I took father Karnail Singh of Shamsher Singh and Devinder Singh were going for information but you have met in way at Bus Stop Chamba Kalan. The all above said assailants has murdered by shooting with gun to Shamsher Singh and his brother Devinder Singh has been injured with fire arm shots. And they try to get forcefully possession with arms on my land. The legal action be taken against these persons. I am claimant. I have got recorded my statement, read, heard. Which is correct Sd/- Mohinder Singh, Mohinder Singh above said, and seconded by LTI Karnail Singh s/o Tara Singh resident of Chamba Kalan. Attested Sd/- Raj Kumar SI SHO Police Station Chohla Sahib dated 17.12.2024.”*

7. It has been submitted by the learned State counsel and learned counsel for the complainant that a perusal of the FIR clearly reveals that the petitioners are not only specifically named in the FIR, but are also alleged to have actively participated in the commission of the offence in question. It has been submitted that the petitioners were part of an armed group that attacked the deceased and his family. It has also been submitted that the petitioners were present at the scene of occurrence, one wielding a single-barrel gun and the other armed with a *gandasi*, thereby demonstrating not only their physical presence but also their preparedness to engage in violence.

8. It has been further pointed out that the petitioners, in concert with other accused, fled the scene of crime on the tractor of the complainant, which further indicates a shared common intention and participation in the alleged criminal act.

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



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10. The allegations against the petitioners are of a grave and serious nature. Although the fatal gunshot injury has not been directly attributed to either petitioner, their presence at the scene of occurrence as armed participants in the unlawful assembly is *prima facie* established in the FIR.

11. The nature of weapons allegedly carried by the petitioners namely a firearm and a *gandasi*, and their concerted action with the co-accused, *prima facie* indicate their active participation in an unlawful assembly with the common object of committing a violent offence. The act of all the accused including the petitioners fleeing away from the scene along with the tractor of the complainant further reinforces their *prima facie* complicity in the commission of offence.

12. In the light of the facts and circumstances as numerated hereinabove and considering the gravity of the allegations, this Court finds no ground to extend the extraordinary concession of anticipatory bail to the petitioners. Consequently, both the petitions are hereby dismissed.

13. 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.

14. A photocopy of this order be placed on the file of other connected case.

26.05.2025

Vinay

(MANJARI NEHRU KAUL)

JUDGE

Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No