



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

**CRM-M-10821-2025
Reserved on 04.03.2025
Pronounced on: 12.03.2025**

Gurmukh Singh

...Petitioner

V/s

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S.GREWAL

Present: Mr.Ajit Singh Natt, Advocate, for the petitioner.

Mr.Eklavya Darshi, DAG, Punjab.

Mr.Vipin Mahajan, Advocate and
Ms.Chandanpreet Kaur, Advocate for the complainant.

H.S.GREWAL, J. (ORAL)

1. This is the third petition filed under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in case FIR No.169 dated 29.11.2022 under Sections 302, 307, 427 (Sections 201, 34, 193, 404 added later on) of the Indian Penal Code, 1860 and Sections 25 and 27 of the Arms Act, 1959, registered at Police Station Sadar Batala, District Gurdaspur.

2. The facts of the present case are that the co-accused of the petitioner, namely, Amritpal Singh, had lodged the FIR in question, stating that when he, along with the deceased Ajit Pal Singh, was going in his car, he stopped near the petrol pump on the main road because Ajit Pal Singh



needed to urinate. At that moment, some unknown individuals arrived in a Swift car and opened fire. One of the shots hit Ajit Pal Singh in the left jaw. Ajit Pal Singh also fired with his licensed pistol. The assailants fired at Amritpal Singh, who returned the fire. He, along with his friend Gurmukh Singh, rushed Ajit Pal Singh to Escort/Fortis Hospital, Amritsar, where he was declared dead.

3. During the investigation, the police concluded that, in fact, accused Amritpal Singh had filed a false FIR. He himself had shot Ajit Pal Singh at Restaurant Hub 24, owned by petitioner. Following this incident, petitioner-Gurmukh Singh and Amritpal Singh conspired, and as part of the conspiracy, they placed Ajit Pal Singh's dead body in Amritpal Singh's car and Gurmukh Singh transported the deceased to Escort/Fortis Hospital, Amritsar. He filed the false FIR to establish a defense. Consequently, the police named Amritpal Singh and petitioner-Gurmukh Singh as accused in this case. Amritpal Singh was arrested, but the petitioner evaded arrest. During the investigation, the Investigating Officer obtained arrest warrants for accused-petitioner-Gurmukh Singh through an application.

4. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the FIR in question. He submits that when the incident had occurred, the petitioner was not present at the spot. He was called by the complainant Amritpal Singh. Learned counsel further argued that no specific role had been attributed to the petitioner. He was named on a statement made by the wife of deceased, namely, Gurpreet



Kaur. Learned counsel further submits that the statement of the wife of the deceased cannot be relied upon as it is with the deliberate intention to rope in the petitioner. Learned counsel has further contended that the material prosecution witnesses have been examined and challan has been presented. The petitioner has been in custody since 14.03.2023.

5. Per contra, learned State counsel assisted by learned counsel for the complainant has opposed the prayer and submissions made by the counsel opposite and submits that the petitioner should not be granted the concession of regular bail.

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

7. It is clear from the case file that the petitioner had joined the investigation later by surrendering before the trial Court on 14.03.2023, after his anticipatory bail was dismissed by the learned Sessions Court, Gurdaspur on 13.02.2023. The averments made by the learned counsel for the State that the death of the deceased was caused due to a gun shot fired at the premises of the petitioner and later on his dead body was carried in the car by Amritpal Singh finds substance. Later on, a false story was concocted by the petitioner that some unknown individuals had arrived at the place of occurrence and had fired gunshots, out of which one shot hit Ajit Pal Singh due to which he succumbed to the injury. The present petitioner accompanied Amritpal Singh through out the incident.



8. Keeping in view the above circumstances and the fact that the petitioner had surrendered much later, I find no ground to grant him bail at this stage.

9. Accordingly, the instant petition is hereby dismissed. 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.

(H.S. GREWAL)
JUDGE

12.03.2025

poonam

1. Whether speaking/reasoned? : Yes/No
2. Whether reportable? : Yes/No