

2025:PHHC:090945



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

1. **CRM M-61445-2024 (O&M)**
Date of Decision:22.07.2025
Naresh Kumar @ Bau ...Petitioner
Versus
State of Punjab ... Respondent
2. **CRM M-21926-2025 (O&M)**
Gurpreet Singh @ Prince ...Petitioner
Versus
State of Punjab ... Respondent
3. **CRM M-62973-2024 (O&M)**
Daljit Singh @ Sahab ...Petitioner
Versus
State of Punjab ... Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Vipin Mahajan, Advocate
for the petitioner in CRM M-61445 of 2024.

Mr. Hitesh Chopra, Advocate for
the petitioner in CRM M-21926-2025.

Mr. Gagandeep Singh Sirphikhi, Advocate
for the petitioner in CRM M-62973-2024.

Mr. I.P.S. Sabharwal, DAG, Punjab.

N.S.SHEKHAWAT, J.

1. This order shall dispose off three petitions, i.e., CRM M-61445 of 2024 titled as “***Naresh Kumar @ Bau Vs. State of Punjab***”, CRM M-21926-2025 titled as “***Gurpreet Singh @ Prince Vs. State of Punjab***” and CRM M-62973-2024 titled as “***Daljit Singh @ Sahab Vs. State of Punjab***” whereby, the petitioners have prayed for grant of concession of regular bail in a case FIR No. 77 dated 15.03.2024 under Sections 302, 324, 216, 212, 148, 149 and 120-B IPC registered at Police Station Civil Lines, Batala.

2. The FIR in the present case has been registered on the basis of the statement made by Gurdeep Singh and the same has been reproduced below:-

“Statement of Gurdeep Singh son of Gurnam Singh, resident of Gurdaspur road, Railway crossing, Guru Nanak Nagar, Batala, age about 52 years, Mobile no. 82840-05394. Stated that I am resident of aforesaid address and in profession of truck driver since last 30/35 years. I am having 02 sons and 01 daughter. Elder son Hasandeep Singh is aged about 24 years and after passing out the course for Hotel Management from Chandigarh has returned home on 12.3.2024. On dated 14.3.2024 at about 09:00 O'clock, in night, my son Hasandeep Singh, had gone to offer bread to pet dog in our haweli and after some time I also started going to haweli following my son and then, at about 09:30 PM, 03/04 persons came in front of our haweli, who were wielding datar and swords. After some time, 15/20 other

young boys abruptly came on the spot and when my son came out from haweli after offering bread to dog, then, all the aforesaid young boys started altercation with my son over some matter and in my presence, they started manhandling with my son; one young boy made an assault with kirch upon my son which struck on his chest and when I came forward in order to get my son freed, then, one young boy inflicted blow with sword on my head which struck on back side of my head and then second young boy inflicted blow with datar upon me which struck on back side of my left shoulder. Myself and my son became unconscious and fell down on the ground. Meanwhile, Ranjit Singh son of Gurnam Singh, resident of Guru Nanak Bhullar road, Batala and my wife Sandeep Kaur reached the spot, who, after making arrangement for conveyance took us to civil hospital, Batala for getting us hospitalized, but, my son Hasandeep Singh succumbed to the injuries on the way itself. Doctor Sahib, after providing first-aid and issuance of MLR discharged me from the hospital. It has been revealed to me that the young boys, who had assaulted us, name of one of them is Shankar son of unknown and name of second young boy is Munshi son of Tandoor Wala, resident of Gandhi Camp, Batala. All the aforesaid young boys along with weapons fled away from the spot while leaving one Aactiva scooty bearing No. PB-18-W-5385. The aforesaid young boys often used to get themselves intoxicated in front of our haweli and my son used to restrain them, but, because of that grudge, aforesaid young boys have murdered my son and have also caused grievous injuries to me. Statement has

been got scribed with you and responsible for that. Action may be taken. Sd/-Gurdeep Singh”.

3. Learned counsel appearing on behalf of petitioner Naresh Kumar @ Bau (petitioner in CRM M-61445-2024) has vehemently argued that the petitioner was not initially named in the FIR and has been falsely involved without any evidence against him. In the FIR, the complainant had levelled allegations against Shankar and Muchi, co-accused. Later on, one secret information was allegedly received on 15.03.2024 to the effect that Rahul Bhundi and Kuldeep Singh @ Lovely had also beaten up Gurdeep Singh and Husandeep Singh, since deceased. Shankar Singh allegedly gave a blow with *Kirch* on the chest of the deceased and he fell down on earth. Bhundi, gave *Kirpan* blow on his head and Kuldeep Singh, co-accused gave *datar* blow on his left shoulder. He had died because of the *Kirch* blow on his chest, which was given by Shanker Singh. Later on, Sujal @ Mushi @ Muchi was arrested on 24.03.2024 and on the basis of his disclosure statement, Gurpreet Singh @ Prince was also nominated as accused in the present case. On 28.03.2024, Sujal @ Mushi @ Muchi also got recorded further disclosure statement and on his disclosure statement Daljit Singh @ Sahib, co-accused was also nominated as accused in the present case. Learned counsel further contends that it has been falsely alleged that the petitioner had participated in the occurrence, however, no specific role has been assigned to him. Even, no injury has been attributed to the petitioner and it has been alleged

that the petitioner had conspired with other accused to kill Husandeep Singh son of the complainant. The petitioner was arrested in the present case on 27.04.2024 and is in custody since then.

4. Learned counsel appearing on behalf of Gurpreet Singh @ Prince (petitioner in CRM M-21926-2025) also submits that in the FIR, the petitioner was neither named nor any overtact has been attributed to him. In fact, the name of the petitioner appeared in the disclosure statement of Sujal @ Mushi @ Muchi, who was arrested on 14.03.2024 and it was alleged that the petitioner was sent for conducting recce of Husandeep Singh and the co-accused had caused injuries to him. The petitioner was arrested in the present case on 24.03.2024 and is in custody since then. Even, no specific injury has been attributed to him also.

5. Learned counsel appearing on behalf of Daljit Singh @ Sahab (petitioner in CRM M-62973-2024) has raised similar arguments and submitted that even the petitioner was not mentioned in the FIR and even no overtact has been attributed to him in the *challan*. He was arrested on 21.07.2024 and *challan* has been presented against him.

6. On the other hand, learned State counsel has vehemently opposed the submissions made by the learned counsel for the petitioners on the ground that the petitioners alongwith others had conspired to kill Husandeep, son of the complainant and had actively

participated in the commission of the crime. Learned State counsel has further submitted that sufficient evidence has been collected against them and the petitions were liable to be dismissed by this Court.

7. I have heard learned counsel for the parties and perused the record.

8. In the present case, all the three petitioners were not initially named in the FIR and the allegations were levelled only against Shankar and Sujal @ Mushi @ Muchi and certain unknown persons. Even, during the course of investigation, no specific injury was attributed to either of the petitioners. Even, the investigation has already been completed qua the petitioners and *challan* have already been presented against them. Further, the prosecution has placed on record no material to show that the petitioners are in a position to influence the witnesses of the prosecution or may flee from the process of justice.

9. In view of the above, without commenting any further on the merits, the present petitions are allowed and the petitioners are ordered to be released on bail on their furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned subject to the following conditions:-

(i) The petitioners 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 to disclose such facts to the Court or to any other authority.

(ii) The petitioners shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioners shall not absent themselves from the Court proceedings except on the prior permission of the Court concerned.

(iv) The petitioners shall surrender their passports, if any, (if already not surrendered), and in case they are not holders of the same, they shall swear an affidavit to that effect.

(v) The petitioners shall also file their affidavit before the concerned Court, mentioning their ordinary place of residence and number of mobile phone, which shall be used by them during the pendency of the trial. In case of change of place of residence/mobile number, they shall share the details with the concerned Court/learned Trial Court.

(vi) In case, the petitioners get involved in any other criminal activity, during the pendency of the trial, it shall be viewed seriously and the prosecution shall be at liberty to move an appropriate application for cancellation of bail granted to the present petitioners.

(vii) The concerned Court may insist two heavy local surties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioners.

(viii) The petitioners shall report every 1st Monday in English calander month before the concerned SHO till the conclusion of the trial and SHO shall mark their

presence by making an entry in the Rojnamcha. In case, they do not report on every 1st Monday before the concerned SHO, it shall be viewed seriously and the concession granted to them shall be liable to be cancelled and the State of Punjab shall be at liberty to move an appropriate application in this regard.

22.07.2025

amit rana

(N.S.SHEKHAWAT)

JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No