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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.3348 of 2025
Date of Decision: 06.11.2025

Surinderjit Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Anmol Partap Singh Mann, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

Mr. Achin Gupta, Advocate and
Mr. Karan Bansal, Advocate,
for the complainant.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
148	20.10.2023	Kot Ise Khan, District Moga	302, 404, 341, 148 and 149 of IPC and 25 and 27 of Arms Act, 1959

2. As per the allegations, on 20.10.2023, the complainant Kulwinder Kaur along with Karanveer Singh and Karamjit Kaur was taking a walk in the area of Village Galoti Road at about 7 AM. Her

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father-in-law Veer Singh was also walking along with some other persons and was ahead of her. Within her sight, 14-15 persons came from the village side while riding on 3-4 motorbikes and two cars. They encircled Veer Singh and made an exhortation that he should not be left alive. Then, accused Sukhdev Singh opened an assault by firing shots with revolver and accused Gurdeep Singh also fired shots thereby injuring Veer Singh and his companion Ranjit Singh, both of whom fell on the ground. The petitioner-Surinderjit Singh armed with kapa, accused Gurcharan Singh armed with revolver, accused Raju Khalsa, Jagraj Singh former Sapranh, Dr. Preet, Malkit Singh, Ranjit Singh, Bhag Singh and some other unknown persons were also there. The accused Ranjit Singh struck a blow with a baseball bat thereby injuring Taranjit Singh who was taking care of the injured. The assailants then fled away on clamour being raised by the complainant and her companions. The injured were rushed to the hospital but injured Veer Singh and Ranjit Singh were declared to be brought dead whereas Taranjit Singh was provided treatment. As per the complainant, the motive was that the assailants were having grudge against her father-in-law on account of some audio recording sent by one accused Raju Khalsa.

3. After registration of FIR, investigation proceedings were initiated. The postmortem examination of dead bodies of the victims and inquest proceedings were conducted. The petitioner-Surinderjit Singh was arrested on 22.10.2023. The co-accused were also arrested. Investigation now stands completed.

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4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. It is a case of version and cross version since the members of the complainant party were the aggressors and they were the persons who had initially opened assault upon the members of the accused party and had even caused firearm injuries to the petitioner on whose statement a DDR No.26 had been entered on 23.10.2023 against the victim and other members of the complainant party. The petitioner had sustained two firearm injuries at the hands of deceased Veer Singh. These injuries were grievous and dangerous to life. The members of complainant party have failed to explain the same.

5. It is further argued that even as per the allegations, the petitioner was simply present at the spot with kappa. No specific overt act and injury has been attributed to him. The members of complainant party were aggressors and the deceased Veer Singh had opened fire with a pistol aiming the same towards father of the petitioner and when the petitioner rushed for saving his father, he sustained firearm injury in his neck at the hands of Veer Singh. It was his father who fired a shot in self-defence that had hit Veer Singh. He is in custody since 22.10.2023. No recovery has been effected from him. Complainant Kulwinder Kaur has been partly examined in chief as PW-1 and she has not attributed any specific overt act to the petitioner. It was a case of free fight between two factions of the village over village politics. The trial will take considerable time to continue. His continued detention would not serve any useful purpose. It is, therefore,

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urged that the petition deserves to be allowed.

6. Per contra, it is argued by learned Assistant Advocate General, Punjab that there are serious allegations against the petitioner who by forming membership of an unlawful assembly with the co-accused had killed Veer Singh and Ranjit Singh and caused their homicidal death. It is, therefore, urged that the petition does not deserve to be allowed.

7. This Court has considered the rival submissions.

8. The petitioner is alleged to have formed membership of an unlawful assembly with the co-accused and in prosecution of common object of that unlawful assembly, the victims Veer Singh and Ranjit Singh are alleged to have sustained firearm injuries and succumbed to the same. These injuries were not attributed to the petitioner. The petitioner has placed on record Annexure P-5 which is copy of medico legal report dated 20.10.2023 showing that he had sustained two injuries on his right scapular region margins and on the neck. A copy of discharge summary has also been placed on record along with the medico legal report showing that he had been admitted in a private hospital with history of open penetrated wound injury sustained on 20.10.2023 at anterior neck and in the midline and another wound at right shoulder and was diagnosed with having sustained undisplaced fracture on right clavicle. No specific overt act has been attributed to him. He himself has been injured in the incident. A cross case bearing DDR No.26 has been registered against the members of complainant party including the deceased on the basis of statement of the petitioner. The

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petitioner is in custody since 22.10.2023. The trial will take considerable time to conclude. An application filed under Section 319 of Cr.P.C. by the complainant is pending since long. The injuries which proved fatal to the victims Ranjit Singh and Veer Singh have not been attributed to him but to accused Gurdeep Singh and Gurcharan Singh. It is a case of version and cross version. Keeping in view the nature of the allegations as levelled against the petitioner, the part attributed to him, the period of his incarceration coupled with the fact that the trial will take considerable time to conclude, this Court is of the considered opinion that the petition deserves to be allowed. Accordingly, the same is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

9. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

06.11.2025
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(MANISHA BATRA)
JUDGE

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