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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.10084 of 2025
Date of Decision: 22.05.2025

Charandeep Singh @ Babba ... Petitioner
Versus
State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Nikhil Ghai, Advocate,
for the petitioner.

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

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
194	11.06.2022	Division B, District Police Commissionerate Amritsar	302, 307, 120-B, 148 and 149 of IPC and 25/27/27-A/29 and 29-A of Arms Act, 1959

2. As per the allegations, on 11.06.2022, Gurnam Singh was installing an iron grill outside the shop which was owned by Gurpartap Singh, husband of the complainant and was rented out to the said Gurnam Singh. The petitioner along with the co-accused Happy, Dharminder

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Singh, Nona Nihang and three unknown persons reached there and stopped Gurnam Singh from doing so. A quarrel had started between them. The complainant and her husband reached there on coming to know about the quarrel and her husband had asked the petitioner the reason for stopping Gurnam Singh. At this, the accused Dharminder Singh made an exhortation to catch hold of her husband and not to spare him. They opened an assault upon the victim. Two of them struck blows with datar and wooden log. Accused Happy struck a blow with kirpan on the person of Jaspreet Singh who was present there. Accused Rimpi who is brother of the present petitioner reached there and handed over one pistol to him who immediately fired shots with the same which hit her husband on the abdomen and forehead above left eye and he had fallen down. On rescue alarm being raised by the complainant, the assailants fled from the spot. The victim was rushed to the hospital but was declared to be brought dead. On the basis of statement of the complainant, the aforementioned FIR was registered. Investigation has since been concluded. Offence under Section 307 of IPC was initially added but was later on deleted. Presently, the petitioner along with the co-accused is facing trial for commission of the aforementioned offences.

3. It is argued by learned counsel for the petitioner that there is delay of six and half hours in reporting the matter to the police which has remained unexplained. Infact, it was a case of free fight and members of both parties had caused injuries to each other. The petitioner is in custody

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since long. No witness has been examined so far. Trial will take considerable time to conclude. His further incarceration would not serve any useful purpose. Accordingly, it is urged that he deserves to be released on bail.

4. Status report has been filed. It is argued by learned Assistant Advocate General, Punjab that there are serious and specific allegations against the petitioner who had caused injuries to the victim that resulted in his instantaneous death. He has criminal antecedents since two more criminal cases have been registered against him. Prolonged period of custody in a heinous crime like this is not a ground for grant of bail. There is direct evidence qua his involvement in the crime. It is, therefore, stressed that the petition does not deserve to be allowed.

5. This Court has considered the rival submissions.

6. The petitioner along with the co-accused is alleged to have opened an assault upon the victim on the fateful day. The death of the victim is proved to have been caused due to sustaining firearm injuries on his person and the said injury has been inflicted upon him by none other than the petitioner. It is well settled law that extended/prolonged period of incarceration in heinous crimes like murder is not a ground for grant of bail. The allegations against the petitioner are quite serious. Keeping in view the gravity thereof, the quantum of sentence which the conviction may entail and the attendant facts and circumstances but without meaning to make any comment on the merits of the case, this Court is of the considered opinion

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that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

22.05.2025
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No