

2025:PHHC:093506



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

1. **CRM M-11990-2025**
Date of Decision:21.07.2025

Sarwan Singh @ Gora		...Petitioner
	Versus	
State of Punjab		... Respondent

2. **CRM M-1996-2025**

Abhishek Visht @ Abhi		...Petitioner
	Versus	
State of Punjab		... Respondent

3. **CRM M-2561-2025**

Gurminder singh @ Sethi		...Petitioner
	Versus	
State of Punjab		... Respondent

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

Present : Mr. Saransh Sabharwal, Advocate
for the petitioner in CRM-M-11990-2025.

Mr. Abhinav Gupta, Advocate
for the petitioner in CRM-M-1996-2025.

Mr. Yashpal Thakur, Advocate
for the petitioner(s) in CRM-M-2561-2025.

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

N.S.SHEKHAWAT, J.

1. This order shall dispose off three petitions, i.e., CRM M-11990 of 2025 titled as “**Sarwan Singh @ Gora Vs. State of Punjab**”, CRM M-1996 of 2025 titled as “**Abhishek Visht @ Abhi Vs. State of Punjab**”, and CRM M-2561-2025 titled as “**Gurminder singh @ Sethi Vs. State of Punjab**”, whereby, the petitioners have prayed for grant of concession of regular bail to them in case FIR No. 125 dated 28.08.2023 under Sections 302, 506, 148 and 149 of IPC registered at Police Station P.S. Division 4, District Patiala.

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

“It is recorded that a statement Harmeet Singh son of Shamsher Singh Resident of Quarter No.26, Police Station Sadar Patiala age about 50 years Phone No.81960-14291 recorded by SI/SHO Jaspreet Singh Kahlon 55/PRT, Police Station Lahori Gate, Patiala for registration of case under Section 302, 506, 148 and 149 IPC against Sobal Kapoor son of Pardeep Kapoor resident of House No.241, Gill Enclave, Village Chill, Police Station Anaj Mandi and his companions namely Sandeep Singh alias Sanjay son of Manjit Singh, resident of House No.469, Street No.1, Jagtar Nagar, Patiala, Abhishek Visht alias Abhi son of Gulab Singh, resident of House No. 61, Street Number, Jagtar Nagar Patiala, Aditya alias Noni son of Tarsem resident of House No.20, Street No.1, Jagtar Nagar Patiala, Daksh Mattu

son of CT Matt Resident of House No.4. Street Number, Deep Nagar, Patiala, Gurminder Singh alias Sothi son of Amrik Singh resident of Street No.2, Gobind Colony Village Alipur Araiyan resident of Patiala and 2-3 other unknown persons by hand CT Gurpreet Singh 3438/PTA received at police station the contents of which are as follows: Statement of Harmeet Singh son of Shamsher Singh resident of Quarter No.26, Police Station Sadar Patiala aged about 50 years Mobile No.81960-14291 it stated that I am a resident of the said address and work as cleaner in the department Punjab Police. I have two sons. My elder son namely Pritpal Singh alias Prince and younger is Parminder Singh alias Noor and a girl namely Gurpreet Kaur. My elder son Pritpal Singh alias Prince had studied 12th standard. Who was still looking for employment after completing his studies. At about 10:00 O'clock at night I have received a phone call from Gurwinder. Singh alias Inder son of Daljit Singh who is friend of my son Prince. He told me that in the parking lot of PNB Bank in SST Patiala, Prince is being beaten by a boy named Sobal and his 7-8 other unknown persons with swords and base ball. At the same time I was in the quarters of Police Station Sadar Patiala and reached at the spot on a motorcycle and saw that a healthy boy, whom his friends were calling Sobal, gave three sword blows on the head of my son Prince and his companions have also given sword and base ball blows to my son. Upon which, I started shouting as "Marta-Marta" and the passers-by gathered at the spot and Sobal and his accomplices, along with their weapons, ran away from the spot on their car Marka Icon having No.PB11-AL-6748 and some fled from there on

motorbikes while raising threats. Then I with the help of Gurwinder Singh alias Inder and Harpreet Singh his son Swaran Singh took my son on a motorcycle and admitted him to Rajindra Hospital Patiala for treatment. During treatment, my son Pritpal Singh alias Prince died. Sobal and his accomplices killed my son Pritpal Singh alias Prince by beheading him. I came to know from friends of my son Gurinder Singh alias Inder and Harpreet Singh the full name of Sobal is Sobal Kapoor son of Pardeep Kapoor resident of House No.241, Gill. Enclave Village Jhill Police Station Anaj Mandi and his accomplices Sandeep Singh alias Sanjay son of Manjit Singh resident of House No.469, Street No.1, Jagtar Nagar Patiala, Abhishek Visht alias Abhi son of Gulab Singh Resident of House No. 61, Street No.1, Jagtar Nagar Patiala, Aditya alias Noni son of Tarsem Singh, resident of House No.20, Street No.1, Jagtar Nagar, Patiala, Daksh Mattu son of CT Mattu resident of House No.4, Street No.1, Deep Nagar, Patiala, Gurminder Singh alias Saithi son of Amrik Singh, resident of Street No.2, Gobind Colony, Village Alipur Araiyan resident of Patiala. I can identify the rest of the unknown persons when they appear before me. The main reason is that my son Pritpal Singh alias Prince friend Gavi was having previous grudges with Sobal. Necessary legal action may be taken against the above said accused persons for committing murder of my son Pritpal Singh alias Prince and justice be given to me and my family members. Statement is given to you, head and the same is correct. Sd/- Harmeet Singh, Sd/- Jaspreet Singh Kahlon 55/PRT, Station House Office, Police Station Lahori Gate, Patiala, Dated 28.08.2023.”

3. Learned counsel appearing on behalf of Gurminder Singh @ Sethi (petitioner in CRM M-2561 of 2025) submits that even though the petitioner has been named in the FIR, but no specific injury has been attributed to him. Even, as per the prosecution story, Sobal Kapoor was carrying a sword (*Kirpan*) and in the presence of the complainant, he gave 2/3 sword blows on the head of Prince, his son. Even, as per the postmortem report, Prince, since deceased, had died due to the head injuries, which were attributed to Sobal Kapoor, non-applicant. Even, no particular injury was attributed to the petitioner and the petitioner was wrongly arrested on 28.08.2023. Learned counsel further contends that as per the case of the prosecution, Sobal Kapoor had grudge with one person Gavy @ Youngpreet Singh. Gavy @ Youngpreet Singh was friend of deceased Pritpal Singh @ Prince. Now Gavy @ Youngpreet Singh has been examined as PW1 and he has already turned hostile. Still further, there is no other evidence to connect the petitioner with the crime. The petitioner was arrested in the present case on 28.08.2023 and since then, he is in custody. Even, three witnesses, PW1 Youngpreet Singh @ Gavy, PW2 Gurwinder Singh and PW3 Harpreet Singh had turned hostile and had not supported the case of the prosecution.

4. Learned counsel appearing on behalf of petitioner Abhishek Visht @ Abhi (petitioner in CRM M-1996 of 2025) submits that the petitioner was wrongly named in the FIR. Even, the statements of PW1 Youngpreet Singh @ Gavy, PW2 Gurwinder Singh

and PW3 Harpreet Singh have been recorded and all the three witnesses have turned hostile in the present case. Even, the petitioner is in custody since 28.08.2023 and material witnesses have already been examined in the present case. Thus, there are no chances of tampering with the prosecution evidence.

5. Similarly, learned counsel appearing on behalf of Sarwan Singh @ Gora (petitioner in CRM M-11990 of 2025) has vehemently argued that the petitioner was neither named in the FIR nor any specific role was assigned to him. Even, Gurwinder Singh was allegedly an eye witness to the incident, but he had not named and nor identified the petitioner. Even, in the present case, no test identification parade was conducted and there was no evidence to connect him with the crime. Even, the petitioner was arrested on 01.09.2023 and he was a juvenile at the time of the occurrence.

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 all the petitioners had actively participated in the commission of the crime and were present at the place of occurrence. However, he could not dispute the fact that all the three witnesses had actively participated in the commission of the crime and were present at the place of occurrence. However, he could not dispute the fact that all the three material witnesses had turned hostile in the present case.

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

8. In the present case, all the three petitioners are in custody for the last almost 01 year and 10 months and in the FIR, no specific role has been attributed to all the three petitioners. Moreover, the prosecution has already examined three witnesses, PW1 Youngpreet Singh @ Gavy, PW2 Gurwinder Singh and PW3 Harpreet Singh and all the material witnesses had not supported the case of the prosecution.

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.

10. All pending applications, if any, are disposed off, accordingly.

21.07.2025

amit rana

(N.S.SHEKHAWAT)

JUDGE

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