

CRM-M-40304-2024
CRM-M-40363-2024
CRM-M-16271-2025
CRM-M-40256-2025

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2025.PHHC:174929



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

110 (4 cases)

Date of decision: 15.12.2025

- 1. CRM-M-40304-2024
SHER SINGH ALIAS SHERA V/S STATE OF PUNJAB**
- 2. CRM-M-40363-2024
KABAL SINGH V/S STATE OF PUNJAB**
- 3. CRM-M-16271-2025
BALRAJ SINGH @ BAJA V/S STATE OF PUNJAB**
- 4. CRM-M-40256-2025
AMANDEEP SINGH V/S STATE OF PUNJAB**

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. T.V.S. Lehal, Advocate
for the petitioners.
(in CRM-M-40304-2024, CRM-M-40363-2024 & CRM-M-40256-2025)

Mr. Rajiv Kumar Saini, Advocate
for the petitioner. (in CRM-M-16271-2025)

Mr. Jatinder Pal Singh, Sr. DAG, Punjab.

YASHVIR SINGH RATHOR. J.(Oral)

1. This is the petition under Section 483 of BNSS, 2023 for grant of regular bail to the petitioners in case FIR No.79 dated 08.06.2023, registered under Sections 302, 34, 120-B, 148, 149 of IPC and Sections 25 & 27 of Arms Act at Police Station Ghuman, Tehsil Batala, District Gurdaspur.
2. Learned counsel for the petitioners as well as learned State counsel have been heard and material collected by the police during investigation has been perused.
3. The present case was registered on the basis of statement given to the



police by Charanjit Singh son of Harbhajan Singh with the allegations that his father runs a meat shop near bridge canal of village Chaune. On the previous night i.e. on 07.06.2023, they all were sleeping in the house. His father was sleeping on a cot lying inside the door. At about 12.30 AM, he heard the sound of gunshots at their gate on which he went outside and saw that some unknown persons had fired gunshots at the gate of their house and thereafter, they fled away. One gunshot had hit his father on the left side of his chest and he along with Hardeep Singh and Mandeep Singh took his father to the hospital where he was declared dead and he sought action against the unknown persons. The matter was investigated. On 14.06.2023, Harmanjot Singh was nominated as an accused on the basis of secret information and he was arrested and in his disclosure statement, he nominated Amandeep Singh @ Mithu, Amritpal Singh and Kashmir Singh as accused. On 16.06.2023, Kashmir Singh was arrested. On 19.06.2023, Amandeep Singh @ Mithu and Dinesh Singh were arrested and one pistol was recovered from co-accused Dinesh Singh. On the disclosure statement of co-accused Dinesh Singh, Rajbir Singh, Sher Singh @ Shera (petitioner), Subhpreet Singh @ Subh, Gurpreet Singh @ Lala, Balraj Singh @ Baja (petitioner), Love, Mani, Kabal Singh (petitioner) and Gola were nominated as accused vide DDR No.21 dated 19.06.2023. Pursuant to his disclosure statement, co-accused Dinesh Singh also got recovered one pistol 32 bore alongwith 11 cartridges, one pistol 12 bore with 10 live cartridges and 2 empty cartridges. Petitioner Gurpreet Singh @ Lala got recovered one pistol and 05 live cartridges while Amandeep Singh @ Mithu got recovered one motorcycle, one country-made pistol 315 bore along with 3 live cartridges and 2 empty cartridges. Co-accused Rajbir Singh got recovered one



motorcycle and Balraj Singh also got recovered one motorcycle. It was revealed that Dinesh Singh, Rajbir, Gurpreet Singh @ Lala, Subhpreet Singh @ Subh, Jarnail Singh, Amandeep Singh (petitioner), Balraj Singh, Love, Sher Singh, Mani, Kabal Singh etc. had hatched conspiracy to commit the murder of Charanjit Singh and at the time of occurrence, co-accused Dinesh Singh had traveled on the motorcycle being driven by Gurpreet Singh @ Lala to the house of deceased and they had fired at his house resulting in the death of said Harbhajan Singh. After completion of investigation, final report was presented against the accused for trial.

4. Learned counsel for the petitioners contended that the offence in question was committed by unknown persons. Challan has already been presented after completion of investigation. The only allegations against the present petitioners are that they had hatched conspiracy in committing the crime and accused Sher Singh was allegedly driving the motorcycle when the other occupant fired shot. Learned counsel further contended that their names have cropped up in the disclosure statement of main accused namely Dinesh Singh. The only eye-witness, who is the author of the FIR namely Charanjit Singh has already been examined as PW-4 during the trial. However, he has not identified petitioner-Sher Singh to be amongst the assailants and he has only identified one of the accused namely Dinesh Singh. He has also nowhere deposed anything against the remaining petitioners namely Amandeep Singh, Balraj Singh and Kabal Singh regarding any past enmity or that they had hatched any conspiracy. Learned counsel contended that the disclosure statement suffered by the co-accused that petitioners had hatched in the conspiracy is not admissible in evidence. No other eye-witness remains to be examined. All material witnesses except official witnesses have already been examined and there is thus no possibility of

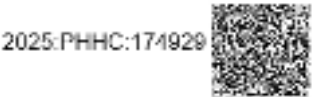


petitioners intimidating or winning over the witnesses. Co-accused namely Gurpreet Singh @ Lala has been released on bail vide order dated 19.11.2025 in CRM-M-21705-2025. Petitioner Balraj Singh is in custody since 20.06.2023; petitioners Sher Singh and Kabal Singh since 19.06.2023; and petitioner Amandeep Singh is in custody since 26.06.2023. The trial will take a long time to conclude and no useful purpose will be served by detaining the petitioners in custody anymore and they may be released on bail.

5. On the other hand, learned State counsel has opposed the bail and argued that in view of the gravity of offence, they does not deserve the benefit of bail.

6. Offence in question was committed by unknown persons and no one has been named in the FIR. The name of the petitioners were disclosed by co-accused Dinesh Singh in his disclosure statement. However, the complainant namely Charanjit Singh has already been examined as PW-4 and he has not identified petitioner-Sher Singh to be amongst the assailants, who was allegedly driving the motorcycle at the time of incident. Complainant-Charanjit Singh has also not uttered anything incriminating against the remaining petitioners namely Amandeep Singh, Balraj Singh and Kabal Singh regarding hatching of conspiracy. No other material witness remains to be examined except official witnesses. Co-accused Gurpreet Singh @ Lala whose case is identical to that of petitioners has already been granted regular bail vide order dated 19.11.2025 in CRM-M-21705-2025. Petitioner Balraj Singh is in custody since 20.06.2023, petitioners Sher Singh and Kabal Singh since 19.06.2023, and petitioner Amandeep Singh is in custody since 26.06.2023. The trial will take some more time to conclude and no useful purpose will thus be served by detaining the petitioners in custody anymore and they deserve to be released on bail.

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7. In view of the above, without commenting on the merits of the case, the present petitions are allowed and the petitioners are ordered to be released on regular bail on their furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned.
8. Pending misc. application(s), if any, shall also stand disposed of.

15.12.2025
Vishal Vardhan

(YASHVIR SINGH RATHOR)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No