

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

207

CRM-M-17045-2025

Date of decision : 07.08.2025

Prem Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

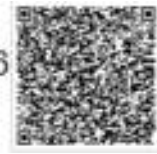
Present: Mr. Karandeep S. Sidhu, Advocate for the petitioner.

Mr. Rohit Bansal, Sr.DAG, Punjab.

SURYA PARTAP SINGH, J. (Oral)

1. The petitioner/accused, namely, Prem Singh, who has been prosecuted for the commission of offence punishable under Sections 302, 148 and 149 of Indian Penal Code, 1860 and Sections 25 and 27 of the Arms Act, 1959, is asking for the benefit of regular bail in a case arising out of FIR No.72, dated 26.08.2023, Police Station Lakho Ke Behram, District Ferozepur.

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, and that he has already suffered sufficient incarceration for being in custody since 31.08.2023. Learned counsel further submits that the injuries which were responsible for the death of both the deceased have not been attributed to the present petitioner, as he was armed with a sharp edged weapon whereas injuries responsible for the death of both the deceased were fire arm injuries. According to learned counsel for the petitioner, the trial in this case is not likely to be concluded in the near future and, therefore, the petitioner is entitled for the concession of bail.



3. Short reply by way of an affidavit of Satnam Singh, PPS, Deputy Superintendent of Police (Sub Division) Guruharsahai, District Ferozepur has been filed on behalf of the respondent-State today. The same is taken on record.

4. *Per contra*, learned State counsel argues that in the instant case, double murder at the spot had taken place and the allegations contained in the FIR, makes it crystal clear that the petitioner/accused was a member of unlawful assembly duly armed with deadly weapons and that they had hatched a conspiracy to kill the deceased persons. He further submits that since the petitioner/accused had actively participated in the commission of crime, he is directly involved in this case. It has also been argued by the learned State counsel that releasing of the petitioner/accused on bail will definitely be detrimental to the safety and morale of the witnesses and, therefore, he is not entitled for the concession of bail.

5. Heard. The file has been perused carefully.

6. A perusal of the records shows that FIR in the case was lodged on 26.08.2023, wherein it was alleged that the case against the present petitioner/accused, and others, was registered on the statement of Gurmeet Singh son of Sohan Singh, who had stated that that they are five brothers. and that his brother Dagdish Singh was a Member Panchayat of the Village. There was a dispute between Sunny Singh, Sukha Singh, Happy Singh, Mandeep Singh with Balli with regard to a mobile phone and Sunny Singh and others had not returned the mobile phone as per compromise. Thereafter, Dagdish Singh and Kuldeep Singh alongwith the complainant went to their village for talking where Sukha Singh, Sunny Singh, Happy Singh, Prem Singh, Mandeep Sigh and one unidentified person were present at the house.



They asked that they need three more days for returning the mobile phone, but the complainant and his brothers stated that they would take the mobile phone on that day only, as they had taken over that responsibility. As per complainant at that stage, there was a verbal altercation and accused stated that they would not return the mobile phone. The complainant had further alleged that at 7.00 p.m. when they were returning to their village on motorcycle, Sunny Singh, Sukha Singh, Happy Singh, Prem Singh, Mandeep Singh came there on three motorcycles. Sukha Singh was having a *pistol* and all others were having *kappas*. They waylaid the complainant and his brothers. When Dagdish Singh and Kuldeep Singh questioned them, Sunny asked Sukha Singh to initiate attack and kill Dagdish Singh and others. Thereafter, Sukha Singh fired one gunshot towards Dagdish Singh which hit his neck and second on the person of Kuldeep Singh's neck. According to complainant he manage to flee from the spot and ran away towards Village Mehma. As per complainant, both the brothers of the complainant had died due to injuries suffered by them.

7. A perusal of records shows that it is the second bail petition filed by the petitioner/accused, and that the further application was rejected by this Court on 04.12.2024, while observing that during the course of arguments when learned counsel for the petitioner apprehended that he would not get the favourable order, he withdrew the regular bail petition.

8. Admittedly in the present case, a specific role has been attributed to the petitioner and as per the allegation of the prosecution, he had actively participated in the commission of alleged crime, i.e. murder of both the deceased. The abovementioned role attributed to the petitioner/accused has been confirmed in the investigation.



9. In the given fact situation and the circumstances of the case, the release of petitioner/accused on bail would be detrimental to the ends of justice and the present petition being devoid of any merit, deserves to be dismissed. Hence the same is hereby **dismissed**.
10. Pending application(s), if any, is also stands disposed of accordingly.

(SURYA PARTAP SINGH)
JUDGE

AUGUST 07, 2025
Anjal

Whether speaking / reasoned	Yes/No
Whether Reportable	Yes/No