



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

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CRM-M-19065-2025  
Decided on : 22.07.2025

Resham Singh @ Nikka Singh . . . Petitioner(s)

Versus

State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Chanakya Batta, Advocate  
for the petitioner(s).

Mr. Manjinder S. Bhullar, DAG, Punjab.  
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SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

| Name of<br>Petitioner(s)         | FIR<br>No. | Date       | Section(s)             | Police Station      | District |
|----------------------------------|------------|------------|------------------------|---------------------|----------|
| Resham<br>Singh @<br>Nikka Singh | 128        | 19.08.2024 | 105, 3(5) of BNS, 2023 | Nihal Singh<br>Wala | Moga     |

2. Case of the prosecution is that on 19.08.2024 at about 3:40 PM, complainant Gurdit Singh, while he was going towards Nihal Singh Wala, he saw that his brother Amninder Singh, was coming on his motorcycle at a very high speed, from the side of Nihal Singh Wala and his friend, namely; Kiratpreet Singh was also following him on another motorcycle. Brother of the complainant raised a loud voice informing him that “*Arshu and others are behind us and they will kill me*”. Complainant noticed that said Arshu



gave a kick blow to his brother while, he was on motorcycle and due to this, his motorcycle struck in a tree and on account of suffering of injuries, brother of the complainant died in the Civil Hospital, Nihal Singh Wala.

3. Petitioner's counsel argues that no active role has been attributed to the present petitioner, in fact, he was pillion rider. Name of the petitioner was not even mentioned in the FIR. Though, it has been mentioned that said unknown person was Arshu's Massi son, r/o Kariadwala. Besides, petitioner is stated to be inside jail since 29.08.2024 and till date, none of the prosecution witness has been examined.

4. On the other hand, learned State counsel has filed the status report dated 21.07.2025, in Court today, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

A copy thereof has been handed over to the counsel for the petitioner.

5. On being asked by the Court, learned State counsel informs that petitioner is inside jail since 29.08.2024 and one of the prosecution witness has been examined so far.

6. Heard.

7. It is not a case where any of the accused was armed with a weapon. The alleged act involves only a push/kick blow given by accused Arshu, who was riding the motorcycle. The present petitioner was merely a pillion rider. The question of the petitioner's culpability, and whether he shared a common intention with the main accused, is a matter to be determined during trial based on the complete evidence. At this stage, there appears no substantial reason to curtail the liberty of the petitioner by



keeping him in continued custody.

8. Taking note of all the circumstances as noticed here-above and the submissions addressed by respective counsel for the parties, this Court considers that liberty of a person, even if, he is an accused in a criminal case, cannot be curtailed for indefinite period, and thus, prayer for concession of regular bail is worth considerable.

9. Consequently, prayer made in the present petition is **allowed**. Petitioner – Resham Singh @ Nikka Singh, is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

10. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

11. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

12. Petition stands disposed of.

**(SANJAY VASHISTH)**  
**JUDGE**

**July 22, 2025**

*J.Ram*

*Whether speaking/reasoned:* Yes/No

*Whether Reportable:* Yes/No