

2025:PHHC:152351



IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

1. CRM-M-19084-2025 (O&M)

Raghuvir Singh @ Goma @ Raghubeer ...Petitioner

Versus

State of Punjab ...Respondent

2. CRM-M-26353-2025 (O&M)

Anmol Singh ...Petitioner

Versus

State of Punjab ...Respondent

Reserved on : 31.10.2025
Pronounced on : 06.11.2025

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Nakul Sharma, Advocate
for the petitioners.

Mr. Roshandeep Singh, AAG, Punjab.

Mr. Sant Pal Singh Sidhu, Senior Advocate with
Mr. Sarbuland Singh, Advocate and
Mr. Vini Singh Rana, Advocate
for the complainant.

MANISHA BATRA, J.

1. This common order shall dispose of abovementioned two petitions
as they arise out of the same FIR and seek similar relief.

2. Prayer in these petitions, filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioners in
FIR No. 81 dated 19.07.2024, registered under Sections 103 and 3(5) of
Bharatiya Nyaya Sanhita, 2023 and Sections 25 and 27 of the Arms Act at
Police Station Arniwala, District Fazilka.

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3. As per the allegations, on the evening of 18.07.2024, victims Avtar Singh and Harmeet Singh, husband and son respectively of complainant Sarabjit Kaur, were working in their fields and the complainant had gone to serve tea to them. On reaching there, she found that the petitioners and co-accused Palwinder Singh @ Pinda, Balvir Singh @ Beera were having an altercation with her husband on the issue of turn of water. All of them were armed with weapons. Within her sight, accused Palwinder Singh @ Pinda fired shots at her son Harmeet Singh with a firearm, thereby causing injuries on his chest, waist and left elbow. Her husband rushed for rescue of his son. Two shots were sustained by her husband Avtar Singh. Both of them had fallen down on the ground. Then petitioner Anmol Singh struck blows with a spade on the person of her husband, whereas petitioner Raghubir Singh struck blows with a spade, thereby causing injuries on the head and forehead of her son Harmeet Singh. Blood started oozing from their wounds. On clamour being raised by her, the assailants fled away in a car. The injured were rushed to the hospital but they succumbed to their injuries. The aforementioned FIR was registered on the basis of the statement recorded by the complainant. Investigation proceedings were initiated. Post-mortem examination of the dead bodies and the inquest proceedings were conducted.

4. As per the further allegations, during the course of investigation, an application was moved by one Jitender Singh son of Kulwant Singh for conducting an inquiry and in that inquiry, the petitioners were found to be innocent and recommendation was made accordingly. A supplementary challan was filed before the learned trial Court to the effect that both of them were innocent. The prosecution also moved an application for discharge of the

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petitioners. However, the same was dismissed by the learned trial Court, vide order dated 08.05.2025. The petitioners were arrested on 19.07.2024. Now, they along with the co-accused are facing trial for commission of aforementioned offences.

5. It is argued by learned counsel for the petitioners that they have been falsely implicated in this case. There is delay of 13 hours in lodging of the FIR, which has not been explained properly. The allegation that the petitioners had stuck injuries with spades on the person of the victims is false on the face of the record since as per the post-mortem examination report of victim Harmeet Singh, only one lacerated wound on right parietal region of his skull was found, which could not have been possible with a spade. Both the petitioners have been declared innocent by the investigating agency. They are in custody since 19.07.2024. Their custodial interrogation is no more required. As per the statements recorded by the eye-witnesses Major Singh and Akash Singh, which are part of the supplementary challan report, the petitioners were not present at the spot. The petitioners are in custody since long. The trial is likely to take considerable time to conclude. Their continued detention would not serve any useful purpose. It is, therefore, urged that the petitions deserve to be allowed.

6. Separate status reports have been filed by the respondent-State. Learned State counsel has affirmed the fact that in a supplementary challan, filed before the learned trial Court, it is submitted that both the petitioners have been found to be innocent. It is also submitted that an application moved by the prosecution to discharge the petitioners being innocent was dismissed by the learned trial Court.

7. On the other hand, learned senior counsel for the complainant has

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vehemently argued that there are serious allegations against the petitioners. They were active participants in the occurrence. The material witnesses are yet to be examined. The petitioners have criminal antecedents. The supplementary challan had been filed by the investigating agency/police authorities by conducting re-investigation without seeking any permission from the Court. The petitioners have not challenged the order of learned trial Court declining their prayer for discharge. The complainant has duly supported the prosecution version in her sworn deposition as recorded before the learned trial Court. It is, thus, urged that the petitions are liable to be dismissed.

8. This Court has heard the submissions made by learned counsel for the parties.

9. The petitioners along with the co-accused are alleged to have entered into an altercation with the victims and in connivance with each other are alleged to have assaulted them. As per the post-mortem reports, the death of the victims have occurred, due to sustaining firearm injuries. However, the allegations disclosed the presence of the petitioners at the spot and their participation in the occurrence. The trial is going on and there is nothing on record to show that there would be any undue delay in conclusion of the same. Supplementary challan report might have been filed by the investigating agency after conducting re-investigation but the learned trial Court has not accepted the same and passed the order dated 08.05.2025, thereby declining the prayer made by the prosecution for discharge of the petitioners. Keeping in view the gravity of the allegations levelled against the petitioners, the quantum of sentence which the conviction may entail and the attendant facts and circumstances of the case, this Court is of the considered opinion that the petitioners do not deserve to be

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granted benefit of regular bail. Hence, the petitions are dismissed.

10. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petitions and the same shall not be construed as an expression of opinion on the merits of the case.

11. Let a photocopy of this order be placed on the file of the connected case.

06.11.2025
Waseem Ansari

(MANISHA BATRA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>