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

CRM-M-21583-2025

Date of Decision: 18.08.2025

Nishan Singh

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Sukhbir Maandi, Advocate
for the petitioner.

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

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail in case FIR No.94 dated 30.07.2024 registered under Sections 103(1), 333, 191(3), 190, 61(2), 115(2) of BNS, at Police Station City Patti, District Tarn Taran.
2. The FIR in the present case was registered on the basis of the statement made by Karan Kumar son of late Shami Puri and the same has been reproduced below:-

“Statement of Karan Kumar son of Late Shami Puri resident of Ward No. 6, Near Water Supply Tank, Patti, aged about 28 years, Mobile No. 8344100011, Aadhaar No. 829474581802, stated that I am resident of above noted address and working on the Milk Dairy at Patti. Today, on 30.07.2024, I, along with my family members was present at home and the son of my uncle, Aman Puri son of Surinder Kumar resident of Ward No. 6, who had also come to our home. Then time, at about 12:00 Noon, Parminder Singh son of Lakhwinder Singh resident of Valtoha

presently residing Goindwal Sahib near Gurudwara Sahib along with Nishan Singh son of Joginder Singh resident of Burj Rai and Dalbir Singh alias Beera son of Muktiar Singh resident of Norangabad, whom I known to them earlier also they had come to our house and along with four more unknown persons. Six of them are dressed in the attire of Nihangs and one of them was wearing a T-shirt, they were coming in a Innova Car bearing No. PB-05AL-9009 of Silver Colour and were armed with swords and other sharp edge weapons. Parminder Singh Nihang asked my father Shami Puri that we had turned up on the asking of Gurwinder Singh Fouji and his brother-in-law that the money which had been transferred to you by Gurwinder Singh through Google Pay on the asking of Jatinder Singh, that amount be returned. Then my father Shami Puri said that I will have to take money from Jatinder Singh resident of Batala and the money which has been transferred through Google Pay by Gurwinder Singh that money has been sent on the instructions of Jatinder Singh. I had no dealing with Gurwinder Singh alias Fouji. Upon which, Nihang Parminder Singh above said son of Lakhwinder Singh and the persons accompanied with him, started brawling with my father and while abusing stepped out in to the street. My father tried to pacify them. But they were abusing in the meanwhile, Parminder Singh Nihang raised a Lalkara and said that if he did not return money today then he will not spare and meanwhile gave a sword blow on the head of my father Shami Puri, my father in order to save himself, raised his left arm then Kirpan blow hit on the above the wrist of the left arm of my father due to which the wrist of my father was cut deeply and started bleeding profusely. In the meanwhile, the son of my uncle Aman Puri came forward in order to save my father then the unknown Nihang gave a direct sword blow upon him and in order to save himself he raised his right arm then the Kirpan blow hit upon the

thumb and the index finger of his right hand and also sustained other internal injuries. Then we, raised an alarm Maar Ditta Maar Ditta and on seeing the gathering of the people at the spot, all the assailants fled away in their Car bearing No. PB-05AL-9009, Mark Innova, Colour Silver along with their respective weapons. I, and my uncle's son Manish Puri son of Ram Kishan Puri arranged the vehicle and got admitted my father Shami Puri to Civil Hospital Patti and Aman Puri getting his treatment from Sandhu Hospital, Patti. Today, during treatment, my father Shami Puri son of Om Parkash Puri was expired in Civil Hospital Patti. This incident was seen by me, my uncles' son Aman Puri and Uncle's son Manish Puri. The unknown persons accompanied with Parminder Singh Nihang to whom I recognized them if they come in front of me. The motive of revenge is that my father has taken some money from Jatinder Singh, that money on the asking of Jatinder Singh, Gurwinder Singh Fouji transferred in the account of my father through Google Pay. That Gurwinder Singh instead of taking from Jatinder Singh demanded money from my father. Gurwinder Singh Fouji and his brother-in-law sent Nihang Singh and murdered my father while giving injuries and also gave injuries to my uncle's son Aman Puri. I am responsible. Strict legal action be taken against accused persons. Statement got recorded, heard and found correct. Sd/- Karan Kumar.”

3. Learned counsel for the petitioner contends that even though, the petitioner has been named in the FIR, but no specific allegation has been leveled against him. It has been simply shown that the petitioner was present at the place of occurrence along with other accused. As per learned counsel, the injuries were caused to the deceased by Parminder Singh alias Dharminder Singh and Rajan alias Raju Nihang, both co-accused/non-applicants and after suffering the injuries, Shami Puri succumbed to the injuries. The petitioner was

arrested in the present case on 22.01.2025 and is in custody for the last about 07 months. He further contends that challan has already been presented against the petitioner and his custody is no longer required for the purpose of investigation. As per him, the prosecution has relied upon 24 witnesses, but no witness has been examined so far. He further contends that the petitioner was never involved in any other criminal activity.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

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

6. As per the prosecution, Parminder Singh alias Dharminder Singh and Rajan alias Raju Nihang, co-accused/non-applicants had caused injuries to Shami Puri, since deceased. The petitioner was simply shown to be present along with the co-accused. Thus, the prosecution is yet to lead evidence against the petitioner to show that he also shared common intention with his co-accused.

7. At this stage, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned, subject to the following conditions:-

(i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the

facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority.

(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.

(iv) The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.

(v) The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.

(vi) In case, the petitioner involves in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.

(vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

18.08.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

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