



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

CRM-M-21235-2025

Reserved on: 5th August, 2025

Pronounced on: 21st August, 2025

Karnail Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Bhupinder Ghai, Advocate for the petitioner.
Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.
Mr. H.P.S. Ishar, Advocate for the complainant.

MANISHA BATRA, J :-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 211 dated 18.08.2024 registered under Sections 103, 190, 191(3) and 49 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Sections 25 and 27 of Arms Act, 1959 (later on Section 3(5) and 238 of BNS were added and offences under Sections 190, 191(3) of BNS were deleted) at Police Station Sadar Mansa, District Mansa.

2. The aforementioned FIR had been registered on the statement recorded by the complainant Karamjit Singh on 18.08.2024 alleging that on the same day, his son Sukhwinder Singh @ Kinda was standing outside a shop opposite the Gaushala of his Village when Narayan Singh and Gurpreet Singh reached there on a motorbike cart in which they were carrying some articles. The motorcycle cart was driven by Narayan Singh. The accused



Gurpreet Singh, who was holding a pistol in his hand fired a shot with the same while aiming at the son of the complainant. Accused Narayn Singh picked a *gandasa* from the motorcycle cart and struck blows with the same on the neck and head of the son of the complainant. The complainant along with Makhan Singh and Kuldeep Singh rushed for rescue of his son but the assailants managed to flee. His son had succumbed to the injuries sustained at the hands of the assailants and died on the spot. The complainant alleged that there was previous enmity between the petitioner and one Harbnas Singh with his son and his son had been killed by Narayan and Gurpreet Singh on instigation of the present petitioner.

3. After registration of FIR, investigation proceedings were initiated. Postmortem examination of dead body of the victim was conducted. The accused Gurpreet Singh was arrested on 18.08.2024. Accused Narayan Singh was arrested on 22.08.2024. He suffered disclosure statement admitting his involvement in the crime and got recovered the *gandasa* used at the time of occurrence whereas the accused Gurpreet Singh got recovered the firearm used at that time. A Special Investigation Team was constituted by SSP Mansa. It was revealed that a telephonic communication between the present petitioner and accused Narayan Singh had taken place just after the occurrence. The name of petitioner and three more persons namely, Charna Singh @ Gurcharan Singh, Sukhdev Singh and Raj Singh were kept in column No.2 of the challan report since the petitioner could not be arrested. Challan was presented against the accused Narayan Singh and Gurpreet Singh. The petitioner was arrested on 24.02.2025. Supplementary chalan has been presented against him.



4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case because of the fact that he had lodged an FIR No. 91 dated 02.09.2022 against the deceased Sukhwinder Singh @ Kinda and seven other persons. In the incident reported in that FIR, the petitioner had sustained serious injuries. His fingers had been amputated and he had sustained fractures. He was not present at the spot at the time of occurrence in this case and the SIT had found that the accused Narayan Singh and Gurpreet Singh were the assailants. The allegations that he had instigated the above named accused to kill the victim have no basis. The complainant was not an eye-witness to the occurrence. He has been in custody since long. No useful purpose would be served by detaining him in custody anymore. Trial will take considerable time to conclude. It is, therefore, urged that the petition deserves to be allowed.

5. Status report has been filed. It is argued by learned Assistant Advocate General, Punjab, that the call detail record of the mobile phones of the accused Narayan Singh and the petitioner had revealed that just after the occurrence, Narayan Singh had made a call to the petitioner Karnail Singh which establishes his complicity in the crime and proves that it was only at the instigation of and in-conivance with the present petitioner that the murder of the victim was committed by the co-accused Karnail Singh and Gurpreet Singh. It is argued that trial is going at a proper pace and there is nothing on record to show that there would be any undue delay in conclusion of the same. Accordingly, it is, urged that the petition does not deserve to be allowed.

6. Rival contentions raised by learned counsel for the parties have



been considered.

7. The petitioner is alleged to have hatched a conspiracy with the co-accused and in pursuance of that conspiracy, the co-accused Karnail Singh and his son Gurpreet Singh are alleged to have committed the murder of victim Sukhwinder Singh @ Kinda. The call detail record of the mobile phones of the accused Narayan Singh and petitioner Karnail Singh had been collected during the course of investigation, which reveals that the former had made a call to the latter just after committing murder of the victim. This circumstance *prima facie* suggests the complicity of the petitioner in crime. Trial has commenced and there is no material on record to show that there would be any undue delay in conclusion of the same. Keeping in view the gravity of the allegations as levelled against the petitioner, quantum of sentence for which the conviction may entail and the attendant facts and circumstances of the case but without meaning to make any comment on the merits thereof lest they prejudice the trial, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

8. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

21st August, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*