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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH****CRM-M-25003-2025****Date of decision: 19.11.2025**

KAPIL ALIAS NINNI

....Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHORPresent : Mr. Vijay Kumar Sheoran, Advocate
for the petitioner.

Mr. Rahul Jindal, AAG, Punjab.

YASHVIR SINGH RATHOR. J.(Oral)

1. This is the third petition under Section 483 of BNSS, 2023 for grant of regular bail to the petitioner in case FIR No.250 dated 03.12.2019, registered under Sections 302, 307, 34 of IPC and Sections 25, 27 of Arms Act at Police Station City Malout, District Sri Muktsar Sahib, Punjab.
2. Status report by way of an affidavit of Angrej Singh, PPS, Deputy Superintendent of Police, Sub-Division Malout, District Sri Muktsar Sahib filed on behalf of the State in the Registry is taken on record.
3. Learned counsel for the petitioner as well as learned State counsel have been heard and material collected by the police during investigation has been perused.
4. The present case was registered on the basis of statement given to the police by Jacky Kumar with the allegations that he is running the business of car



Bazaar as well as the business of liquor along with Manpreet Singh @ Manna. His partner Manpreet Singh @ Manna used to go to gym situated at Sky Mall Malout in the evening everyday and on 03.12.2019 also, he had gone to the gym at about 05.00 PM where he and Abhi Babeja also went behind in their car. He as well as Manpreet Singh @ Manna exercised for some time and at about 06.45 PM, they came out of the gym. In the meanwhile, one Brezza car came there in which four young men were travelling, whom he can identify. They started firing at Manpreet Singh with their weapons upon which he ran back. They also fired at him with an intention to kill him and one bullet hit on the calf of his left leg. On hearing his cries, when people were attracted to the spot, the assailants ran away from the spot. Thereafter, they were taken to the hospital where Manpreet Singh was declared dead and he sought action against the assailants. The police reached the spot and recovered one live cartridge 7.62 mm, 17 fired cartridges cases of 7.62 mm and 6 fired cartridges cases of 9 mm and 2 deformed bullets, which were taken into possession. During investigation, Jacky Kumar made a supplementary statement that Lawrence Bishnoi and his gang members are behind the incident and stated that they have taken responsibility qua the incident and offence under Section 120-B IPC was added. Accused Lawrence Bishnoi, who was lodged in Bharatpur Jail, Rajasthan, was also arrested in this case after obtaining production warrants and he confessed to having committed the crime along with Raj Kumar @ Raju. He also named his associates as Rajan, Kapil @ Ninni (petitioner), Rahul, Rajesh and Rohit Godara who had arranged accommodation and weapons. Subsequently, disclosure statements, recoveries, identifications from CCTV footage and corroborative statements of co-accused Raj Kumar @ Raju



Bisodi, Rohit Godara, Rajan @ Rajan Jat @ Anil and Sampat Nehra @ Balkari further established the conspiracy, motive and roles of the assailants. During investigation, three pistols with magazines and 15 live rounds were recovered pursuant to disclosure statement suffered by co-accused Rohit Godara. Petitioner Kapil @ Ninni was produced on production warrants from District Jail Neemka, Faridabad and he was arrested on 27.02.2020 and he admitted involvement of Ravi @ Bhola. Supplementary challan was presented against the accused Raj Kumar @ Raju Bisodi, Rajan @ Rajan Jat @ Anil and Sampit Nehra @ Balkari in due course. After completion of investigation, challan has been presented against the accused for trial.

5. Learned counsel for the petitioner contended that this is the third bail application moved by the petitioner. The first one was withdrawn on 08.12.2023 and the second bail was dismissed vide order dated 18.09.2025. Thereafter, the complainant namely Jacky Kumar has been examined during the trial and said Jacky Kumar in his testimony Annexure P-3 has not identified the petitioner to be amongst the assailants and has categorically stated that he had not seen any of the assailants at the time of occurrence. Learned counsel contended that since main witness has not identified the petitioner to be amongst the assailants, the prosecution case is not likely to improve. No weapon has been recovered from the possession of petitioner so as to connect him with the alleged offence. Petitioner is in custody since 27.02.2020. The trial will take some more time to conclude and no useful purpose will thus be served by detaining the petitioner in custody anymore and he may be released on bail.



6. On the other hand, learned State counsel has opposed the bail and argued that in view of the gravity of offence, he does not deserve the benefit of bail.

7. Admittedly, no weapon has been recovered from the possession of petitioner and complainant Jacky Kumar in his testimony Annexure P-3 has not identified the petitioner to be amongst the assailants and has stated that he had not seen any of the assailants at the time of occurrence. The prosecution case is thus not likely to improve. Petitioner is in custody since 27.02.2020. The trial will take some more time to conclude and no useful purpose will be served by detaining the petitioner in custody anymore and he deserves to be released on bail.

8. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail bond and surety bond to the satisfaction of learned Trial Court/Duty Magistrate concerned.

9. Pending misc. application(s), if any, shall also stand disposed of.

19.11.2025

Priyanka Thakur

(YASHVIR SINGH RATHOR)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No