

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

2025:PHHC:103402



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CRM-M-35147-2025

Date of decision: 11.08.2025

Karamjeet Singh @ Guri

...Petitioner

V/s

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Amit Agnihotri, Advocate for the petitioner.

Mr. Baljinder Singh Sra, Addl. AG, Punjab.

SUMEET GOEL, J. (ORAL)

1. This is the second petition filed under Section 483 of BNSS 2023 on behalf of the petitioner for grant of regular bail in case bearing FIR No.294 dated 14.09.2019, registered for the offences punishable under Sections 302 and 34 IPC and Sections 25 & 27 of Arms Act, at Police Station Division No.8, District Ludhiana.

2. The case set up in the FIR in question (as set out by the petitioner in the present petition) is as follows:-

“Stated that I am resident of above stated address and a housewife, my husband used to do the work of property dealing on 33 feet road in the name of Friend Real Estate. Yesterday on 13.09.2019 at about 9:00pm, I along with my husband came to Pavilion Mall Road, Session Chowk, Ludhiana to attend the birthday Party of Parminder singh @ Pappu resident of Jamalpur Ludhiana, which was organised on Castle Bar 4th floor Pavilion Mall where Manjeet Singh, friend of Parminder Singh @ Pappu and his relatives and close friends were enjoying and dancing being very happy. In the meantime, Jagdeep Singh and

Bindi r/o Shahbana, PS Jamalpur, Dist: Ludhiana and other person were trying to make son of Parminder Singh @ Pappu understand something. At that time it was about 12 of night, Manjeet Singh also went close to them and make understand, then Jagdeep Singh r/o Bullara, Bindi r/o Shahbana, gave pushes to my husband and thereafter Bindi, Jagdeep singh and Then Bindi r/o village Shahbana, Dist: Ludhiana Ps Jamalpur took out weapon from his waist belt and fired at my husband Manjeet singh which hit on his left rib, due to which my husband fell down. Then Bindi along with his weapon and Jagdeep singh along with unknown person ran away from the spot, after clamours were raised people ran from there, then Sandeep Gupta s/o Krishan Lal Gupta r/o H.No. 56/99/1 Hargobind Nagar Ludhiana arranged a vehicle for me and admitted my husband in an unconscious state to DMC Hospital, Ludhiana where he died during treatment. The motive is that during the birthday party while explaining the son of Parminder Singh @ Pappu, Jagdeep Singh r/o Bulara, Bindi r/o Shahbana and unknown person had a fight with Manjeet Singh. It was found that one more person also received gun shot injury. Action may kindly be taken, I have got recorded my statement to you, heard found correct. SD/ Randeep Kaur, Attested: Gurmeet Singh Insp, P.S Division No. 8, Ludhiana. Date:-14.09.2019”

3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel for the petitioner has further iterated that the petitioner is in custody since 02.09.2024. Learned counsel for the petitioner further submitted that, *assuming arguendo*, the petitioner version is taken to be correct, the gun-shot which converted into the fatal injury, has been attributed to one Jaswinder Singh @ Bindi. Learned counsel has further iterated that the prime prosecution witness namely the FIR-complainant (Randeep Kaur) has turned hostile qua the said co-accused and thereafter the said co-accused (Jaswinder Singh @ Bindi) has been released on

regular bail by the Sessions Court on 03.05.2023 (Annexure P-6). Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised against the petitioner are serious in nature and, thus, he does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 10.08.2025 in Court, which is taken on record.

5. I have heard counsel for the rival parties and have gone through the available records of the case.

6. The petitioner was arrested on 02.09.2024 whereinafter investigation was carried out and challan was presented on 25.07.2024. Total 26 prosecution witness have been cited, out of which only 2 have been examined till date. It is not in dispute that culmination of trial will take its own time. The rival contentions raised at Bar give rise to debatable issues shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1. As per custody certificate dated 10.08.2025 filed by the learned State counsel, the petitioner has suffered incarceration for a period of 11 months and 06 days. Further, as per the said custody certificate the petitioner is stated to be involved in 01 more case. However, this factum cannot be a ground sufficient by itself, to decline the concession of regular bail to the petitioner in the FIR in question when a case is made out for

grant of regular bail *qua* the FIR in question by ratiocinating upon the facts/circumstances of the said FIR. Reliance in this regard can be placed upon the judgment of the Hon'ble Supreme Court in ***Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586***; a Division Bench judgment of the Hon'ble Calcutta High Court in case of ***Sridhar Das v. State, 1998 (2) RCR (Criminal) 477*** & judgments of this Court in ***CRM-M No.38822-2022*** titled as ***Akhilesh Singh v. State of Haryana***, decided on 29.11.2021, and ***Balraj v. State of Haryana, 1998 (3) RCR (Criminal) 191***.

Suffice to say, the further detention of the petitioner in custody is not required in the facts and circumstances of the case.

7. In view of the above, the petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the learned concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number

without prior permission of the trial Court/Illaq Magistrate.

- (vii) The petitioner shall not in any manner try to delay the trial.
- (viii) The petitioner shall submit, on the first working day of every month, an affidavit, before the concerned trial Court, to the effect that she has not been involved in commission of any offence after being released on bail. In case the petitioner is found to be involved in any offence after her being enlarged on bail in the present FIR, on the basis of her affidavit or otherwise, the State is mandated to move, forthwith, for cancellation of her bail which plea, but of course, shall be ratiocinated upon merits thereof.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

11. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(SUMEET GOEL)
JUDGE

August 11, 2025
Naveen

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