



CRM-M-37288-2025

- 1 -

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

233

CRM-M-37288-2025
Decided on : 16.09.2025

Lovepreet Singh @ Labha . . . Petitioner(s)
Versus
State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Ashish Kaushik, Advocate for
Mr. A.P.S. Sandhu, Advocate for the petitioner.

Mr. Manjinder S. Bhullar, DAG, Punjab.

Mr. Angel Sharma, Advocate for the complainant.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Lovepreet Singh @ Labha	196	29.08.2024	103(1) of BNS, 2023	Kotwali Kapurthala	Kapurthala

2. As per the case of the prosecution, the FIR was registered at the instance of the complainant, Sarwan Singh @ Rohit, who, along with his brother Gurpreet Singh, claimed to be an eye-witness to the incident. It was stated that they saw their father, Onkar Singh @ Koki (aged about 50 years), being inflicted with injuries by German Singh and Harman Singh using a *datar*-type weapon. In the FIR, it was further mentioned that the accused – German Singh and Harman Singh, were identified by the complainant as

**CRM-M-37288-2025****- 2 -**

being relatives of his father through their aunt (Massi). A motive was also disclosed, i.e., the accused allegedly owed a sum of ₹80,000 to the deceased, which they had failed to repay despite repeated demands.

3. Learned counsel for the petitioner contends that the FIR was lodged on the same day of the alleged occurrence, i.e., 29.08.2024, which took place at around 08:50 PM. However, referring to the final report under Section 173 Cr.P.C., he submits that the accused named in the FIR were later declared innocent and were substituted by Lovepreet Singh @ Labh (petitioner herein) and Akashdeep Singh @ Sona based on a supplementary statement recorded on 30.08.2024.

4. Learned counsel further points out that he has read out zimni orders himself to the effect that the charges were framed on 05.04.2023 and thereafter, case was fixed for recording of statements of the witnesses, however, none of the witnesses were produced, though there is list of 18 prosecution witnesses. Counsel also submits that co-accused, namely Akashdeep Singh @ Sona, has already been granted the concession of regular bail by this Court vide order dated 22.07.2025 passed in CRM-M-18936-2025. Accordingly, on the ground of parity, petitioner also prays for the grant of regular bail.

5. On the other hand, learned State counsel is unable to dispute the factual submissions made by counsel for the petitioner or justify the circumstances under which the Investigating Officer substituted the originally named accused with the present petitioner and another person.

6. Learned counsel appearing on behalf of complainant vehemently argued that after registration of FIR on 29.08.2024 and after

**CRM-M-37288-2025****- 3 -**

starting of the investigation, and upon initiation of the investigation, complainant submitted an affidavit by way of a supplementary statement, wherein he specifically named Lovepreet Singh @ Laba (the petitioner herein) and Akashdeep Singh @ Sona as the actual assailants.

Mr. Angel Sharma, Advocate, further submits that involvement of the petitioner and his co-accused came to light after complainant reviewed CCTV footage from the vicinity of the incident. The footage clearly depicts the presence of the petitioner and Akashdeep Singh at the scene, actively inflicting injuries upon the complainant's father.

6. Having considered the submissions advanced by learned counsel for the parties, and upon perusal of the material placed on record, this Court is of the opinion that the present case involves a serious issue of substitution of accused persons. The version of the alleged eye-witnesses is yet to be tested during trial, and the veracity of the prosecution's case will be determined only after the complete set of evidence is adduced.

It is pertinent to note that petitioner is in custody since 30.09.2024 and he has been subsequently named in the FIR by way of substitution, replacing the accused persons originally mentioned.

Furthermore, reliance placed by the complainant on a supplementary statement, allegedly based on CCTV footage from the area in question, cannot be accorded significant evidentiary value at this stage, particularly when the said footage does not form part of the judicial record before the learned trial Court. This aspect will require proper scrutiny during the course of trial.

Additionally, co-accused, Akashdeep Singh @ Sona, has

**CRM-M-37288-2025****- 4 -**

already been granted the concession of regular bail by this Court. In the light of the principle of parity, and in the absence of any compelling reason to justify the continued detention of the petitioner, this Court finds no further ground to curtail the petitioner's liberty at this stage.

7. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

8. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

9. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

10. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

September 16, 2025***Rashmi****Whether speaking/reasoned:* *Yes/No**Whether Reportable:* *Yes/No*