



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

306 (02 cases)

1. CRM-M-42113-2024 (O&M)

Sukhwinder Singh @ Sunny

...Petitioner

Versus

State of Punjab

...Respondent

2. CRM-M-41906-2024 (O&M)

Saurav Verma

...Petitioner

Versus

State of Punjab

...Respondent

Date of decision : 14.01.2025

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Sandeep Kumar Bokolia, Advocate
for the petitioners.

Ms. Swati Batra, Deputy Advocate General, Punjab.

MANISHA BATRA, J. (Oral)

1. This common order shall dispose of above mentioned two petitions as they arise out of the same FIR and seek similar relief.
2. These petitions have been filed by the petitioners under Section 439 Cr.P.C. seeking regular bail in case bearing FIR No. 44 dated 18.02.2021, registered under Sections 302, 120-B and 34 of IPC and Section 25 of the Arms Act, 1959 at Police Station City Faridkot, District Faridkot.
3. Brief facts of the case relevant for the purpose of disposal of these petitions are that the aforementioned FIR was registered on the basis of the statement recorded by complainant Sukhchain Singh alleging therein that

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on 18.02.2021, the complainant and his son Gurlal Singh had gone to the market in their car bearing registration number PB-04-AD-1440 to purchase some household articles and for some work. On reaching market, his son dropped him at Jubilee Chowk, Faridkot and he proceeded to the office of one Veenu Goyal, who was an Immigration Consultant. The complainant then met his relative Gurjaswinder Singh in the market and after having some conversation with each other, when they were going towards Gurlal Singh, two unknown youths were seen going behind his son. They opened fire shots with their pistols and they fired 12-13 gunshots at complainant's son and thereafter, they fled away toward Sethi Dairy. They noticed that 5-6 unknown persons also fled away by raising *lalkara*. The alleged gunshots were fired at his son because of some party fraction, as his son was the President of Youth Congress of District Faridkot and a member of Zila Parishad, Faridkot as well. The injured was taken to hospital but the doctors declared him dead. While alleging that he could identify the assailants, the complainant prayed for taking action against the culprits. After registration of the FIR, investigation proceedings were initiated. Postmortem examination of the dead body of the victim and inquest proceedings were conducted. During the course of investigation, it was found that Lawrence Bishnoi and Satinderjit Singh alias Goldy, who are notorious gangsters, had taken the responsibility for the murder of the victim on social media. On the basis of the same, both of them were also nominated as accused in the present FIR. Kapil Pehlwan and Harpreet Singh were also nominated as accused on the basis of secret information. It was also found during investigation that one Gurbinder Singh @ Pinder, who is a cousin brother of Satinderjit Singh alias Goldy, had

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conspired the murder of the victim. He was arrested on 22.02.2021. The statement of one Gurkirat Singh was also recorded who stated that Rajinder Singh @ Jony had made an extra-judicial confession before him that he along with Bhim Sain @ Bhima, Akashdeep Singh and Pardeep Singh had kept a close surveillance upon the movements of the victim and had provided information to the conspirators, who further committed the murder of the victim.

4. As per the further allegations, the complainant recorded supplementary statement on 23.02.2021 disclosing that the present petitioners had committed the murder of the victim and he had identified both of them from the pictures posted by them on the social media. The petitioners and other co-accused namely Bhim Singh @ Bhima, Rajinder Singh @ Jony, Pardeep Singh, Akashdeep, Amit @ Chhotu and Rajan were nominated as accused. Production warrants were got issued against the petitioners, who were in custody in connection with some other case, and were arrested in this case. They were interrogated and suffered disclosure statements admitting their involvement in the murder of the victim. It was disclosed that the ammunition used to kill the victim was collected by the petitioners. The petitioners had carried out recce of the victim on the fateful day and had taken shooters, namely Amit @ Chhotu and Rajan, with them on separate motorcycles. They had chased the victim and had shot him dead. Thereafter, the shooters were ferried by the petitioners. The Investigation stands concluded and presently, the petitioners along with the co-accused are facing trial for commission of aforementioned offences.

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5. Learned counsel for the petitioners has argued that the petitioners have been falsely implicated in this case. They were not named in the FIR. In his sworn deposition recorded in the Court, the complainant has not implicated them in the commission of offence of murder of the victim. Even in the CCTV footage of the place of occurrence, which has been produced by witness Veenu Goel, the petitioners cannot be seen. No recovery has been effected from them. Material witnesses stand examined. Co-accused Gagandeep Singh @ Peda, Gurbinder Singh @ Pinder, Pardeep Singh, Rajinder Singh @ Jony, Akashdeep Singh @ Akash and Bheem Singh @ Bheema have already been granted concession of regular bail by this Court. On the grounds of parity, the petitioners too deserve to be released on regular bail. Investigation has since been completed and *challan* has been presented before the Court. The trial is likely to take time. No useful purpose would be served by keeping the petitioners in custody anymore. Hence, it is argued that the present petitions deserve to be allowed and the petitioners deserve to be granted concession of regular bail.

6. Status report has been filed by the respondent-State. It is submitted therein and learned Deputy Advocate General, Punjab has argued that there are serious and specific allegations against the petitioners as they hatched a conspiracy with the co-accused to kill the victim. Their complicity in the crime of murder of the victim by facilitating escape of above named shooters on their motorcycles from the place of occurrence stands established. The complainant had identified them as the persons present at the spot. The petitioners have criminal antecedents since they are involved in several other cases. Petitioner Sukhwinder Singh is even involved in a murder case. There

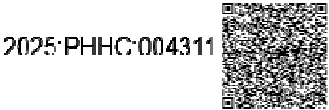
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are chances of the petitioners' absconding or intimidating the witnesses, if they are released on bail. The trial is going on at a proper pace. Hence, it urged that the petitions are liable to be dismissed.

7. I have heard learned counsel for the parties at considerable length and have also gone through the record carefully.

8. The petitioners are alleged to have entered into a conspiracy with co-accused Lawrence Bishnoi and Satinderjit Singh alias Goldy, who are notorious gangsters and also with other co-accused and in pursuance of that conspiracy, they are alleged to have conducted a recce of the victim and on 18.02.2021, they are alleged to be present at the place of occurrence with shooters Amit @ Chhotu and Rajan, who had killed the victim by firing shots upon him with the pistols. As per allegations, the petitioners had facilitated the escape of the said shooters by ferrying them on their motorcycles. Learned counsel for the petitioners has placed on record copies of statements of the complainant and two material witnesses. From a perusal of the sworn deposition of the complainant, who appeared before the learned trial Court as PW-3, it is revealed that he has duly identified the petitioners as the persons, who on the fateful day had taken away the shooters on their motorcycles after the murder of the son of the complainant. So far as the claim of the petitioners that the above named co-accused have already been granted concession of regular bail by the coordinate Bench of this Court and they also deserve the same benefit on the ground of parity is concerned, it can be stated that the case of the petitioners is not on the same footing with the said co-accused as they were not identified by the two material witnesses. The trial is going on at proper pace and there is nothing on record to suggest that there would be any



undue delay in conclusion of trial. Keeping in view the grave nature of allegations levelled against the petitioners, the criminal antecedents of the petitioners, the quantum of sentence which the conviction may entail and the attendant facts and circumstances, I am of the considered opinion that the petitioners do not deserve concession of regular bail, at this stage. Accordingly, the petitions are dismissed.

9. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

14.01.2025

Waseem Ansari

(MANISHA BATRA)

JUDGE

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