



CRM-M-39714-2025

1

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

107-2

**CRM-M-39714-2025
Decided on :30.10.2025**

Karanpreet Singh alias Kittu

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Navjot Singh, Advocate for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. Present petition has been filed under Section 483 of BNSS, seeking regular bail in case FIR No.21 dated 06.02.2023, under Sections 302, 148, 149 IPC and Section 25 and 27 of Arms Act, registered at Police Station Ghuman, District Gurdaspur, Punjab.

2. As per the version recorded in the FIR, the alleged incident took place on 05.02.2023 at about 9:30 p.m. at the residence of the complainant, Jatinder Singh @ Happy. According to the detailed version, at the time of the incident, the accused persons, namely:

- i) Harpinder Singh @ Bhinda,
- ii) Major Singh,
- iii) Akashdeep Singh,
- iv) Jatinder Singh @ Bagga,
- v) Jatinder Singh (son of Surjit Singh),
- vi) Surjit Singh,
- vii) Akashdeep Singh (son of Inderjit Singh),

**CRM-M-39714-2025****2**

along with 3–4 unidentified persons, arrived in two vehicles and started abusing Swaran Singh (father of the complainant) at the gate of his house.

During the altercation, accused persons were allegedly shouting and asking Swaran Singh to come outside, accusing him of helping a girl in a case pending against them. Thereafter, all the assailants went towards the backstreet, and upon opening the door of the house, they allegedly dragged Swaran Singh onto the road. At that point, accused Harpinder Singh @ Bhinda fired a shot from a .12 bore rifle, which hit Swaran Singh on his right arm and ribs. On hearing the noise, the complainant and his mother, Sukhwinder Kaur, rushed to the spot, whereupon all the accused fled in their respective vehicles.

As a result of the gunshot injury, Swaran Singh succumbed to his injuries. Present FIR was subsequently registered on the statement of the complainant, Jatinder Singh @ Happy.

3. Mr. Navjot Singh, learned counsel for the petitioner submits that petitioner's name does not appear in the FIR and that he has been implicated only on the basis of the disclosure statement of co-accused Akashdeep Singh @ Neela (son of Inderjit Singh). It is argued that no specific role or overt act has been attributed to the petitioner in the alleged occurrence, nor is there any allegation that he was armed with any weapon or caused any injury to the deceased.

It is further submitted that FIR does not reflect the true and complete version of the occurrence. In the same incident, Harpinder

**CRM-M-39714-2025****3**

Singh @ Bhinda, one of the accused, was also killed by the complainant party, but this material fact has been concealed in the FIR. Thus, the genesis and origin of the incident have been suppressed. Learned counsel contends that it remains a matter to be determined during the trial also which party was the aggressor, as both sides suffered casualties in the same incident.

On these grounds, learned counsel prays for the grant of bail to the petitioner, submitting that his implication is false and based solely on the disclosure statement of a co-accused, with no specific role assigned to him in the alleged offence.

4. On the other hand, learned State Counsel has filed a short reply dated 19.10.2025, by way of affidavit of Harish Behal, PPS, Deputy Superintendent of Police, Sub-Division Sri Hargobindpur, Police District Batala in Court today. Same is taken on record. Referring to paragraphs 6 to 9 of the said affidavit, learned State Counsel submits that the vehicle, i.e., a car bearing registration No. PB-67D-4969, which was allegedly used in the commission of the crime, has been recovered from the possession of the petitioner, Karanpreet Singh @ Kittu, whose name was disclosed by co-accused Akashdeep Singh @ Neela (son of Inderjit Singh) during investigation.

Learned State Counsel further submits that petitioner is also involved in another criminal case, namely FIR No. 137 of 2021, registered under Sections 109, 148, 149, 324, 307, 34, and 341 IPC at

**CRM-M-39714-2025****4**

Police Station Shahkot, which reflects his criminal antecedents. Thus, learned State Counsel prays for the dismissal of the present petition.

5. I have heard learned counsel for the parties and perused the paper-book, along with the documents appended thereto and the reply filed on behalf of the State.

6. Admittedly, petitioner is in custody since 24.01.2024, and upon completion of the investigation, challan was presented on 19.04.2024. Out of a total of 24 prosecution witnesses, only 07 witnesses have been examined so far.

However, it is noticeable that no specific role has been attributed to the petitioner, except for the alleged recovery of the car bearing registration No. PB-67D-4969, which is said to have been used in the incident. It cannot be overlooked that in the FIR, apart from the petitioner's name being absent, no details or particulars of the vehicle, including its registration number, have been mentioned.

Furthermore, it is also significant that one of the accused, Harpinder Singh @ Bhinda, also lost his life in the same occurrence; however, this fact finds no mention in the FIR. Therefore, another moot question before the learned Trial Court would be as to which party was the aggressor and what was the actual place and genesis of the incident.

In view of the totality of the circumstances noticed above, including the period of custody and the status of the trial, this Court does not find any substantial reason to continue the detention of the petitioner.

**CRM-M-39714-2025****5**

Considering the aspect of personal liberty, further incarceration of the petitioner would not serve any useful purpose for the prosecution.

Accordingly, 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/Illaq Magistrate/ Duty Magistrate concerned, if not required in any other case.

7. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

8. It is further made clear that if, in future, the petitioner is found to be directly involved in similar activities, the prosecution would be at liberty to seek cancellation of bail.

9. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

30.10.2025*Rashmi*

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