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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-40155-2025
Decided on : 01.12.2025

HARBHAJAN SINGH AND OTHERS
.....Petitioners
Versus
STATE OF HARYANA
.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Edward Augustine George, Advocate,
for the petitioners.

Mr. Pawan Kumar Jhanda, Sr. DAG, Haryana.

SANJAY VASHISTH, J.

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 petitioners, during the pendency of trial, who have been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
(1) Harbhajan Singh (2) Hardeep Singh (3) Maninder Singh; and (4) Jujhar Singh	850	06.10.2018	148, 149, 323, 324, 307, 341, 506, 120-B and 302 of IPC	Assandh	Karnal

2. Learned counsel for the petitioners contends that all the four petitioners were initially granted the concession of bail by this Court by passing three separate orders; therefore, present petition is the second bail



petition, necessitated only because the offence has now been converted to Section 302 IPC from the earlier substantive offence under Section 307 IPC.

Petitioner No.1 – Harbhajan Singh, was granted regular bail, vide order dated 11.02.2020 passed in CRM-M-8624-2019. Petitioners Arashdeep Singh @ Harashdeep Singh and Maninder Singh (petitioner No.3) were also granted regular bail through a common order dated 27.08.2020 passed in CRM-M-51649-2019 and CRM-M-21852-2020, respectively.

Likewise, petitioner No.4 – Jhujhar Singh, was granted regular bail by this Court, vide order dated 24.09.2020 in CRM-M-28418-2020.

3. Learned counsel for the petitioners submits that at the time bail was granted, offences registered against the petitioners were under Sections 120-B, 148, 149, 307, 323, 324, 325, 326, 341, and 506 of the IPC. After a period of nearly six and a half years, injured, Heera Singh, expired, and consequently, upon the filing of the supplementary challan on 31.03.2025, offence was converted to Section 302 IPC, though based on the same set of allegations for which bail had already been granted by this Court.

4. Reiterating these submissions, counsel for the petitioners refers to the medico-legal examination report (Annexure P-2) of the then-injured Heera Singh, wherein the doctors recorded three injuries, which are reproduced as under:-



“1. Punched wound of size 0.2 cm diameter over left forearm at junction of upper 2/3rd lower 1/3rd. Active bleeding present.

2. Diffuse Swelling along with abnormal movements over lower end of left forearm.

3. Diffuse swelling over whole of left forearm.”

5. Thus, learned counsel for the petitioners argues that all the injuries initially sustained by Heera Singh were on non-vital parts of the body. Therefore, the moot question, that is yet to be determined by the trial Court after considering the entire evidence along with any medical opinion, would be whether the cause of death is attributable to the same set of injuries or to some other intervening factors.

6. He further refers to the medical opinion now furnished by the doctors after the death of Heera Singh, which reads as under:-

“4. The treatment record of Heera Singh s/o Chann Singh provided by Investigating officer.

Opinion: After perusal of the above mentioned documents, we are of the considered opinion that the cause of death in this case is Septicaemia consequent to the injuries inflicted to the deceased and their complications.”

Thus, counsel for the petitioners argues that, in no manner, it be can said that petitioners committed an act amounting to murder, as the death appears to have resulted either from medical negligence or from complications arising out of improper medical treatment, particularly



when the injuries sustained by the deceased were on non-vital parts of the body. May be, even the Septicaemia developed because of sheer carelessness or negligence of injured Heera Singh himself.

7. It is further contended that prosecution has not collected any direct evidence to show that the death of Heera Singh can be directly attributed to the actions of the accused persons.

Additionally, counsel for the petitioners submits that during the period of six and a half years, none of the petitioners has ever misused the concession of bail granted by this Court in the year 2020 (Annexure P-3).

Thus, counsel prays for grant of regular bail to the petitioners, who have been taken into custody upon the filing of the supplementary *challan* before the trial Court.

8. Learned State counsel, while opposing the prayer and submissions made by counsel for the petitioners, contends that death of Heera Singh is directly connected to the injuries inflicted upon him, as septicaemia developed solely due to the severity and depth of those injuries; therefore, no fault can be attributed to the doctors.

He further submits that additional injuries have also been attributed to the petitioners, and two other individuals were likewise injured in the same incident. In such circumstances, petitioners are not entitled to any sympathetic consideration for grant of bail.

9. This Court has heard the submissions addressed by counsel for both parties and has carefully examined the material on record, including the earlier bail orders granted to the petitioners as well as the



medical opinion now furnished by the doctor regarding the death of Heera Singh.

10. It is not in dispute, even from the side of the State, that gravity of the offences and the specific roles attributed to each petitioner were thoroughly considered by the respective Benches of this Court at the time of granting bail to all the four petitioners (Annexure P-3). Therefore, the argument that serious injuries were also sustained by other injured persons carries no weight, at this stage.

With respect to the medical opinion, this Court is neither required nor inclined to make any observations, as the issue is yet to be adjudicated by the trial Court upon appreciation of the complete evidence, particularly the medical opinion or medical evidence that prosecution may adduce in due course.

It is also an admitted position that despite enjoying the concession of bail for nearly six and a half years, none of the petitioners has ever misused the liberty granted to them by this Court.

11. Therefore, in view of the totality of the circumstances, nature of allegations, and the factors discussed hereinabove, this Court deems it appropriate to grant the concession of bail to the petitioners.

12. Consequently, prayer made in the present petition is **allowed**. Petitioners are ordered to be released on bail, subject to their 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.



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13. Needless to observe that the petitioners shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.
14. Any of the discussion done and recorded here above, 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.
15. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

01.12.2025
Lavisha

Whether Speaking/Reasoned: ✓YES/NO
Whether Reportable: ✓YES/NO