



245

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

**CRM-M No.41757 of 2025
Date of Decision: 02.09.2025**

Jaimal Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Ankur Jain, Advocate
for the petitioner.

Ms. Simran Gorla, Asstt. A.G., Punjab.

RAJESH BHARDWAJ, J.

1. Present second petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.055, dated 11.12.2022, under Sections 148, 149, 302, 323, 452, 506 IPC and Sections 25, 27 of Arms Act, registered at Police Station Mattewal, District Amritsar Rural.

2. Succinctly the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Kanwaljit Kaur. It was alleged that on 11.12.2022, at about 09:00 A.M., she and her husband, namely, Gurjit Singh (deceased) were present in their house. They heard the noise of the tractor trolley outside the street



and thus, the complainant, her husband and her brother, namely, Bikramjit came out in the street. On seeing, they found that their co-villager, namely, Jaimal Singh was armed with 12 bore rifle and his son, namely, Sukhraj Singh was armed with *dang*, Sarabjit was armed with *dang*, Gurjant Singh was armed with *gandasi*, Daljit Kaur armed with *dang*, Amandeep Singh empty handed and Satnam Singh also empty handed were there. They all started abusing them. Sarabjit Kaur raised *lalkara* to catch hold of them and Jaimal Singh with intention to kill, fired a shot from his 12 bore rifle. The shot passed over the head of husband of the complainant, then, again Jaimal Singh fired, which hit in the chest of her husband. On being hit, husband of the complainant fell down and thereafter Sukhraj Singh, Gurjant Singh and Daljit Kaur started giving blows with their respective weapons to the husband of complainant. It was alleged that all the accused forcibly entered their house and started abusing them. On raising alarm, all the assailants escaped from the place of occurrence. Relatives of the complainant shifted her husband to the Civil Hospital, Tarsikka, from where he was referred to Guru Nanak Dev Hospital, Amritsar. However her husband, Gurjit Singh succumbed to the injuries. Thus the prayer was made to take legal action against the culprits. On registration of the FIR, the investigation commenced. Post mortem of the dead body was conducted. Resultantly the petitioner was arrested on 18.12.2022. The petitioner approached the Court of learned Additional Sessions Judge, Amritsar,



praying for the grant of bail. However after hearing both the sides, the learned Additional Sessions Judge, Amritsar, finding no merit in the same, dismissed the bail application filed by the petitioner vide his order dated 20.03.2025. Being aggrieved, the petitioner earlier approached this Court by way of filing CRM-M-19289-2025, however the same was allowed to be dismissed as withdrawn vide order dated 25.04.2025. Hence being aggrieved, the petitioner is again before this Court by way of filing the present second petition for the grant of regular bail.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. He has submitted that the petitioner is behind bars since the date of his arrest, i.e. 18.12.2022. He has submitted that the main thrust of the argument raised by learned counsel for the petitioner is that the material witnesses, i.e. the wife of deceased-complainant, namely, Kanwaljit Kaur has been examined as PW-1, Sulakhan Singh has been examined as PW-2 and Bikramjit Singh has been examined as PW-4. He has submitted that these material witnesses have not supported the case of prosecution and they were declared hostile. He has submitted that the petitioner has no criminal antecedents as he has never been involved in any other case. However despite the custody of more than 02 years, there is no material progress in the trial. Hence in the over all facts and circumstances, when the material witnesses have not supported the case of prosecution, the petitioner deserves to be granted bail.

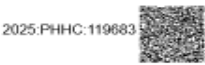


4. *Per contra*, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner. She has submitted that the complainant has duly supported the case of prosecution. She, on instructions, has submitted that out of total 21 prosecution witnesses, only 04 witnesses have been examined so far. She has produced custody certificate of the petitioner today in the Court and the same is taken on record. She has thus submitted that no case for the grant of bail to the petitioner is made out and the present petition deserves to be dismissed.

5. The Court has heard learned counsel for the parties and perused the record with their able assistance.

6. From the bare reading of the FIR and perusing the relevant record, it is discernible that the petitioner is not only specifically named in the FIR but there are specific allegations against him that he fired the rifle and the shot hit on the chest of the deceased, Gurjit Singh. The testimony of the complainant, namely, Kanwaljit Kaur, who is examined as PW-1 before the learned trial Court has been perused and she had duly supported the case of prosecution qua the petitioner, Jaimal Singh. Though she has been declared hostile qua the co-accused, but she has supported the case of prosecution qua the petitioner. Out of 21 prosecution witnesses, only 04 witnesses have been examined so far.

8. Keeping in view the gravity of the offence, this Court does not find any ground to extend the benefit of bail to the petitioner at this



stage. Hence, the present petition stands dismissed. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

02.09.2025

rittu

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

(RAJESH BHARDWAJ)
JUDGE