



237+243 (2 cases)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

1. CRM-M-42366-2025

Gurpartap SinghPetitioner

versus

State of Haryana Respondent

2. CRM-M-59678-2025

Simrajeet Singh @ Simma @ Simranjeet SinghPetitioner

versus

State of Haryana Respondent

Date of decision : 19.11.2025

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Ashit Malik, Sr. Advocate with
Mr. Abhinav Kansal, Advocate
for the petitioner in CRM-M-42366-2025.

Mr. Parminder Singh, Advocate
for the petitioner in CRM-M-59678-2025.

Mr. Sumit Jain, Addl. A.G., Haryana and
Ms. Diya Sodhi, Sr. D.A.G., Haryana.

RAJESH BHARDWAJ, J. (Oral)

1. By way of this common order, this Court intend to dispose of abovesaid two petitions as they have arisen out of the same FIR.
2. Petitioners have approached this Court by way of present second petitions praying for granting them regular bail in case FIR No.858 dated 14.11.2024, under Sections 109(1), 126, 3(5), 351(2) of BNS and



Section 25 of Arms Act, registered at Police Station Karnal City, District Karnal.

3. As per the facts of the case, the FIR was lodged on the statement of complainant, namely, Prabhjot Singh. It was alleged that his sister, namely, Sandeep Kaur was younger to him. Gurpartap Singh (petitioner in CRM-M-42366-2025) used to harass his sister since long time. Though the complainant and his family members made efforts to make him understand but he did not mend his ways. On 13.11.2024 at about 9:00 pm, the complainant talked to Gurpartap Singh on his mobile and Gurpartap Singh asked the complainant to come on the next day near Jewels Hotel. Thus, at about 12:45 pm, he called Gurpartap Singh and fixed a time for meeting. He along with his partner Balraj Singh and friend Lovely (Lavish) reached outside the Jewels Hotel in their Scorpio car. Gurpartap Singh along with his 03 companions i.e. Dilawar Singh, Kunal and Simran Dhuman (petitioner in CRM-M-59678-2025) were already present there. He called Gurpartap Singh and told him to sit in his car and rest of the companions started following him. However, when they reached near Nirmal Kutia then Simran and Kunal, with an intention to kill the complainant fired/bullet rounds from his mouser. Thereafter, Gurpartap Singh took the mouser from them and fired upon him with an intention to kill him, however, he was able to save himself and the fire round did not hit him. After firing, all of them escaped from the place of occurrence. The request was made to take the legal action against the culprits. On registration of FIR, investigation commenced. Petitioner-Gurpartap Singh (in CRM-M-42366-2025) was arrested on 23.11.2024 and petitioner-Simrajeet Singh (in CRM-M-59678-2025) was arrested on 10.01.2025. The petitioners approached learned Additional Sessions



Judge, Karnal, praying for grant of bail, however, finding no merit, their applications were declined after hearing both the sides by Learned trial Court vide orders dated 18.02.2025 and 16.05.2025, respectively. Aggrieved by the same, petitioners earlier approached this Court by way of filing of CRM-M-20351-2025 and CRM-M-20168-2025, which were declined vide orders dated 25.04.2025 and 24.04.2025, respectively. Hence, they are before this Court praying for grant of bail by way of filing of present second petition.

4. Learned Senior counsel for the petitioner(s) has contended that the petitioners have been falsely implicated in the present case. It has been submitted that the FIR had been lodged on some misunderstanding. It is submitted that the grievances as alleged in the petition was regarding the suspicion that petitioner-Gurpartap Singh used to harass the sister of the complainant, however, the same are without any basis. It is submitted that though there are allegations regarding firing, however, no one is injured in the present case. To buttress his arguments, learned Senior counsel has submitted that material witnesses, namely, Balraj Singh, Lovely and Prabhjot Singh have been examined as PW-1, PW-2 and PW-3, respectively, before the trial Court and all these 03 witnesses have not supported the case of the prosecution. They have specifically deposed that accused were not the persons who fired upon the complainant. Thus, all the 03 witnesses have been declared hostile. He submits that the petitioners are behind bars since the date of their arrest. It is submitted that petitioner-Gurpartap Singh has no criminal antecedents. Though petitioner-Simrajeet Singh is involved in 03 other cases, however, he is on bail in those cases. It is thus, submitted that in the overall facts and circumstances, the petitioners deserve to be granted bail.

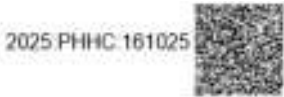


5. Learned State counsel has opposed the submissions made by the counsel for the petitioners and submits that the accused persons are not only specifically named in the FIR, but also, they have actively participated. Both the petitioners have fired from the mouser. She submits that the offence under Section 307 IPC/109 BNS is specifically made out against the petitioners. She submits that even if the witnesses have not supported the case of the prosecution and declared hostile, their whole testimony cannot be discarded. She has produced the custody certificates of the petitioners on record.

6. On hearing counsel for the parties and perusing the record, it is deciphered that the FIR was lodged on the statement of complainant, Prabhjot Singh. The petitioners are behind bars since the date of their arrest. The complainant and other 02 witnesses, have been examined before the trial Court and their depositions have been placed on record. The perusal of the same would show that all these 03 witnesses have not supported the case of the prosecution and have been declared hostile. As per custody certificate, petitioner-Gurpartap Singh has suffered an incarceration of 11 months and 25 days as on 18.11.2025. It further reflects that he has no criminal antecedents. Petitioner- Simrajeet Singh has suffered an incarceration of 10 months and 09 days as on 18.11.2025. As submitted before this Court, he is involved in 03 more cases, however, he is on bail in those cases.

7. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

8. This Court would refrain itself from commenting anything on the merits of the case. Thus, keeping in view the overall facts and



circumstances of the case, this Court is of the opinion that learned counsel for the petitioners succeed in making out a case for grant of regular bail. Accordingly, both the petitions are allowed. Petitioners are ordered to be released on bail on their furnishing bail/surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

9. In case the bail bonds are not furnished by petitioner-Simrajeet Singh @ Simma @ Simranjeet Singh during the period of 07 days from today, then his further custody period after one week will not be counted in the present case.

19.11.2025
ps-I

(RAJESH BHARDWAJ)
JUDGE

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