



CRM-M-53461-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-53461-2025
Decided on : 10.11.2025

Palwinder Singh alias Pindu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. PBS Godara, Advocate
for the petitioner.

Mr. Jasdeep Singh, Addl. AG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Palwinder Singh, aged about 30 years	105	17.12.2024	103(1), 109, 61(2), 62, 190, 191(3), 351(2) of BNS, and 25, 27 of Arms Act, and offence under section 117(2), 118(1) of BNS has been added later on, vide rapat No.18 dated 26.12.2024	Chola Sahib	Tarn Taran

2. On 30.09.2025, this Court, passed the following order:-
“ Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

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2. An FIR was registered on the statement of the complainant, Mahinder Singh, who alleged that he is the owner of 22 acres of land situated across the Beas River in the Mand area, which also includes the land owned by his uncle (Chacha) and great-uncle (Taya). He further claimed that he has been cultivating and irrigating this land for the past 25 years. As per the complainant, individuals from the accused party— namely Balwinder Singh, Daljit Singh (son of Shamir Singh), and Nishan Singh, have been asserting ownership rights over the same land.

On the day of the incident, at around 5:15 p.m., complainant went to his fields along with his son Harpreet Singh and nephews Shamsher Singh and Davinder Singh to sow wheat using their Mahindra 275 tractor (red in colour). Upon arrival, they noticed that the accused persons were already present on the disputed land, engaged in sowing wheat using an Arjan tractor. An altercation took place between the two parties, which escalated and resulted in the use of firearms. During the incident, Shamsher Singh sustained fatal injuries and lost his life, while Davinder Singh also suffered injuries. Specific roles in the incident, assigned to the members of the accused party in the FIR, are as under:-

S.No .	Name of accused person	Arm	Role
1.	Jagtar Singh	Pistol	Raised lalkara of catching hold and to teach lesson
2.	Balwinder Singh	Dang	Raised lalkara of catching hold and to teach lesson
3.	Arshdeep Singh	Dang	
4.	Jagroop Singh @ Jupa	Dattar	
5.	Veer Singh	Single barrel gun	
6.	Nishan Singh	.12 bore gun	Fired at chest of Shamsher Singh

7.	Nodhbir Singh	Empty handed	
8.	Akashdeep Singh	.12 bore gun	Fired at Davinder Singh at left buttock
9.	Avtar Singh	Gandasa	
10.	Joban Singh	Base ball	
11.	Daljit Singh	Empty handed	
12.	Harjinder Singh	Dang	
13.	Kagga Singh	Hockey	
14.	Palwinder Singh	Empty handed	Drivind tractor and attempted to run over his tractor on the complainant

.3. Learned counsel for the petitioner contends that, in connection with the same incident, a cross-version has been recorded, vide DDR No.18 dated 26.12.2024 at the instance of co-accused Davinder Singh (Annexure P-6), highlighting that members of the petitioner’s party also sustained injuries during the occurrence. Referring to this factual position, counsel submits that it will be a significant issue before learned trial Court to determine, which party was the aggressor and who holds actual possession of the disputed land. It is further submitted that petitioner’s father and forefathers have been cultivating approximately 40 acres of land in the Mand area, situated across the Beas River, for the past about 14 years. Complainant party, too, has possession of around 15–16 acres of land in the same vicinity. However, since the fields lack demarcated boundaries, disputes have repeatedly arisen concerning actual possession of specific parcels of land. In fact, on the same issue, an earlier FIR No.11 dated 24.02.2024 had been registered at Police Station Chohla Sahib, District Tarn Taran, against the complainant side (Annexure P-4).

4. Role attributed to the petitioner is that he was driving the tractor and, as per the allegations, he attempted to run over the tractor on complainant, Mahinder Singh. However, it is significant to note that no injury has been sustained by the complainant as a result of the alleged attempt of running over the tractor at the instance of the petitioner.

It is further argued by learned counsel for the petitioner that one of the co-accused, Yodbir Singh, who was allegedly empty-handed and not attributed any specific injury, has already been

granted the concession of anticipatory bail by this Court, vide order dated 21.07.2025 passed in CRM-M-34551-2025 (Annexure P-1).

5. It is further submitted that role assigned to the petitioner is almost identical to that of co-accused Yodbir Singh. Further, it is contended that, in the absence of any corroborative or specific evidence, other than a verbal allegation, petitioner, who is neither shown to be armed with a firearm nor alleged to have caused any grievous injury, deserves to be treated at par with co-accused Yodbir Singh, and, is therefore, entitled to the concession of anticipatory bail, especially as he is willing to join the investigation and cooperate fully. Thus, counsel prays for grant of anticipatory bail to the petitioner in the present case.

6. Notice of motion.

7. On advance notice, Mr. Neeraj Madaan, learned Senior Deputy Advocate General, Punjab, appears on behalf of the respondent/State and Ms. Poonam Singh Thakur, Advocate, puts an appearance on behalf of the complainant.

8. By opposing the anticipatory bail to the petitioner in the present case, learned State counsel refers to (1) order dated **13.05.2025** order dated 13.05.2025 passed in CRM-M-25802-2025 RM-M-25802-2025 titled Jobanpreet Singh @ Joban Singh vs. State of Punjab; (2) common order dated **26.05.2025** order dated 26.05.2025 passed in **CRM-M-27020-2025** titled Veer Singh vs. State of Punjab and **CRM-M-27022-2025** titled **Avtar Singh vs. State of Punjab**; and (3) **order dated order dated 18.06.2025** passed in 18.06.2025 **CRM-M-32757-2025** in the case of **Daljit Singh vs. State of Punjab**.

9. By relying on these decisions, learned State counsel submits that prayer for anticipatory bail in similar circumstances has already been declined by this Court, and therefore, petitioner in the present case, is also not entitled to the concession of anticipatory bail.

10. Adjourned to 10.11.2025.

11. Meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be

abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

12. Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport. It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court. ”.

3. Continuing his submissions, learned counsel for the petitioner contends that in compliance of the order dated 30.07.2025, passed by this Court, petitioner has joined the investigation, and has fully co-operated. Therefore, he prays for confirmation of the said interim anticipatory bail order.

4. Learned State counsel on instructions, confirms the said averment made by learned counsel for the petitioner of joining the investigation, by the petitioner, and submits that as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 30.09.2025, passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

However, petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

7. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

November 10, 2025
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Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*