

CRM-M-64975-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(240-2)

Date of decision: 13.08.2025

(1) CRM-M-64975-2024 (O & M)

Gurpreet Singh @ Mani

.... Petitioner

V/s

State of Punjab

...Respondent

(2) CRM-M-17479-2025 (O & M)

Sandeep Singh

.... Petitioner

V/s

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Ms. Poonam Singh Thakur, Advocate, (in CRM-M-64975)
and Mr. Gagandeep Singh Simble, Advocate
(in CRM-M-17479)
for the petitioner(s).

Mr. M.S. Toor, AAG, Punjab.

JASJIT SINGH BEDI, J. (Oral)

This order shall dispose of two criminal miscellaneous petitions
i.e. **CRM-M-64975-2024 and CRM-M-17479-2025** as they arise out of the
same FIR.



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2. The petitioners, namely, Gurpreet Singh @ Mani (in CRM-M-64975-2024) and Sandeep Singh (in CRM-M-17479-2025) seek the grant of regular bail under Section 439 IPC (Section 483 of BNSS) in case bearing FIR No.343 dated 11.12.2021 under Sections 302, 307, 108, 111, 112, 201, 120-B and 34 IPC read with Section 25/27/54/59 of the Arms Act, registered at Police Station B-Division, Amritsar, Punjab.

3. For the sake of convenience, the facts are being taken from the petition bearing No. CRM-M-64975-2024.

4. The present FIR came to be registered at the instance of the complainant-Sandeep Gupta and reads as under:-

Statement of the complainant-Sandeep Gupta, son of Ashok Gupta, resident of House No. 126, Shiwala Colony, Amritsar, aged approximately 50 years, mobile phone number 99144-17773:

"I reside at the above-mentioned address and run a business of iron goods at Prakash Iron Store, 293, East Mohan Nagar, Amritsar. My father, Ashok Gupta, and my son Vishesh, alias Vishu, are also engaged in the same business. We open our shop daily at 10:00 AM and close it at 7:00 PM. Today, on 11-12-2021, at around 7:30 PM, after closing the shop, my father and I sat in our Innova car. My son Vishesh alias Vishu, along with his driver Prince (son of Ratan Singh, resident of Street No. 01, near Lakhwinder Grocery Store, Ghanu Pur Kale, Chheharta, Amritsar), sat in his Santro car, bearing registration number PB02-DR-7238, to head home. Three young men on a motorcycle approached us from the direction of Chheharta Road and stopped slightly behind our cars. Their faces were



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covered. Two of them, aged between 28 and 30 years, came forward. One was holding a pistol and, with the intent to kill my son Vishesh alias Vishu, fired at the car from the front. The bullet hit the windshield and struck the glass. Then, the two young men approached my son's side of the car and fired 3-4 more shots with the intent to kill him. Hearing the noise, we raised an alarm. The three assailants fled the scene on their motorcycle. My son told me, 'Papa, I've been shot in the stomach. I got into the car with him and instructed the driver to take us to EMC Hospital, Amritsar. My son is currently under treatment, and doctors are attending to him. The motive behind this attack is enmity. About a month ago, my nephew Shivam got engaged to Mehak, daughter of Sanjeev Aul, resident of Pathankot. A few days later, Karandeep Singh (son of Sukhjinder Singh, resident of Got Khokhar Village, Tibber Police Station, Gurdaspur), who was staying with Rakesh Arora, a resident of Aman Avenue, Amritsar, called us over. Along with my relative Rajneesh Kant Mahajan, I went to Rakesh Arora's house, where Karandeep Singh told us, 'I have been in a relationship with the girl, and I want to marry her. Break off this engagement, or I will shoot the boy or the girl. I informed the girl's father about this, and he filed a complaint in Pathankot. Due to this enmity, Karandeep Singh, along with two accomplices, fired directly at Vishesh alias Vishu with the intent to kill him, injuring him. I have given my statement and request action to be taken. "Statement recorded and verified: SD/ Sandeep Gupta.

5. On the receipt of the information of the aforesaid occurrence, the investigating officer immediately proceeded to the EMC Hospital and



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recorded the statement of the complainant (Sandeep Gupta) and sent the aforesaid statement with his endorsement to the Police station 'B' Division, Amritsar for the registration of FIR. He also obtained an opinion about the fitness of injured Vishesh @ Vishu but he was declared unfit to make a statement by the doctor. After the registration of the aforesaid FIR, the investigating officer inspected the place of occurrence, prepared its rough site plan and took into Police possession broken pieces of glass and 3 empty shells of .32 bore bullets from the spot of occurrence. A bullet removed from the body of injured after operation was also handed over to the investigating officer by the doctor, which was also taken into Police possession.

6. During the medical treatment, the condition of the injured Vishesh @ Vishu deteriorated and he was taken to Mendanta-Medicity Hospital, Gurgaon for treatment but he could not survive and succumbed to his injuries on 16.12.2021 at the said hospital. His post mortem examination was conducted at Civil Hospital, Gurugram, Haryana vide MLR No. PKC-144/2021 dated 16.12.2021. The cause of death described in the aforesaid post mortem report is reproduced as under :-

"The cause of death in this case is shock and hemorrhage following ante-mortem multiple firearm injuries described above and its consequences were sufficient to cause death in normal course of life."

7. On the receipt of the information of the death of Vishesh @ Vishu, offence under section 302 was added in the case vide GDR No. 14 dated 16.12.2021.



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8. During the course of investigation of the present case, the co-accused Manjinder Singh himself joined the investigation and made a statement before the SHO PS B-Division, Amritsar that on 11/12/2021 at about 7.00 PM, the accused Karandeep Singh had come to FCI warehouse, Gurdaspur for testing of rice. On that day, Karandeep Singh was not having any vehicle and Karandeep Singh had asked him to drop him at his house. He (Manjinder Singh) had gone to drop Karandeep Singh at his house. On the way, they had eaten pizza and thereafter, Karandeep Singh got unwell. Hence he (Manjinder Singh) had taken Karandeep Singh to Civil Hospital, Gurdaspur and got him admitted there. Karandeep Singh was given treatment and was discharged at about 8:15 PM. It was also stated that at that time Karandeep Singh received a phone call from someone and he panicked. Karandeep Singh told him that he had sent Shelly for some work, who had fired a gunshot at someone. Hence, he also panicked and thereafter, he had dropped Karandeep Singh outside the house of an uncle of Karandeep Singh. The statement under Section 164 Cr.P.C. of Manjinder Singh was also recorded in this respect before the Court of the JMIC, Amritsar. Pertinently, this witness has now been summoned to face Trial under Section 319 Cr.P.C.

9. Subsequently, accused Karandeep Singh son of Sukhjinder Singh resident of village Goth Pokhar, Tehsil Batala, District Gurdaspur surrendered in the court of the Judicial Magistrate, Amritsar on 26.12.2021. He was arrested on the same day and subjected to custodial interrogation. During custodial interrogation, he suffered a disclosure statement dated

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27.12.2021 disclosing therein that he was having a love affair with Mehak daughter of Sanjiv Aul but her father performed her engagement for marriage with the son of the owner of Parkash Iron Store, Amritsar and when he came to know about that, he requested the family members of Shivam to break his engagement with Mehak but they refused to do so and due to their refusal, he got irritated and got killed Vishesh @ Vishu to stop the marriage of Mehak with the connivance of his friends Mohammad Saqib son of Gulam Mohammad Dar resident of 90 Feet Road, Usmanabad, Umarheir, Buchpura, Srinagar, from Shelly son of Arjan Dass resident of village Bariar, District Gurdaspur, Gurmit Singh @ Mita son of Dhanwant Singh resident of village Khusahalpur, Dera Baba Nanak, Gurdaspur and his unknown friend. He further disclosed that after this occurrence, they went to Delhi and parked the Swift Car used in the occurrence in a parking at Nizamudin, Delhi. The aforesaid Swift car No. JK-01-AP-9800 was recovered from the parking of mosque situated at Nizamudin, Delhi pursuant to his disclosure statement.

10. On the basis of the disclosure statement of Karandeep Singh, Mohammad Saqib Dar along with co-accused Shelly Kumar son of Arjan Dass resident of village Kaunta, Police station Dina Nagar, District Pathankot, Gurmit Singh @ Mita son of Dhanwant Singh resident of village Khusahalpur, Dera Baba Nanak, Gurdaspur and his unknown friend were nominated as accused in the aforesaid case vide GDR No.26 dated 30.12.2021 and offence under section 120-B IPC was also added.



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11. On 26.02.2022, Mohamad Saqib Dar was arrested at District Courts Complex, Srinagar after he was handed over to the arresting officer by the Station House Officer, Police station Ahmed Nagar. He was brought to the Police station B Division, Amritsar on 27.02.2022 and subjected to custodial interrogation. During his custodial interrogation, Mohamad Saqib Dar disclosed that he, co-accused Karandeep Singh and Mehak were class fellows at Partap World School, Pathankot where he and co-accused Karandeep Singh used to live in the same room of the hostel and became good friends. He further disclosed that after passing out of the school, he and co-accused Karandeep Singh used to meet frequently and also used to visit each other's houses. Karandeep Singh was having a love affair with Mehak and wanted to marry her. On 26.11.2021, Karandeep Singh had come to Srinagar at his house and resided there for some days and during that time, he (Karandeep Singh) got transferred Rs one lakh in his bank account and thereafter, he transferred Rs. 40,000/- and Rs. 50,000/- in the accounts of some unknown persons on the asking of co-accused Karandeep Singh out of that amount. On 10.12.2021, they both came to Gurdaspur from Srinagar in a Swift Car and on next day, they met co-accused Manjinder Singh son of Baldev Singh resident of village Kot Mohan Lal, District Gurdaspur and co-accused Karandeep Singh discussed something with Manjinder Singh in isolation and thereafter he (Karandeep Singh) asked him (Mohammad Sadiq Dar) to pick up Shelly Kumar and his friends from Mahni Bridge and drop them at Amritsar in his Swift car. He further disclosed that he (Mohammad

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Sadiq Dar) picked up co-accused Shelly Kumar and his two friends i.e. Gurpreet Singh @ Mani (petitioner in CRM-M-64975-2024), Gurmit Singh @ Mita and Happy alias Sandeep Singh (petitioner in CRM-M-17479-2025), from Gurdaspur in the swift car of Karandeep Singh and dropped them at Bus Stand of Amritsar. On reaching at Bus Stand Amritsar, co-accused Shelly Kumar and Gurpreet Singh @ Mani shifted in an I20 car driven by an unknown person, whereas Gurmeet Singh @ Mita and Happy remained in his (Mohammad Sadiq Dar) car and he dropped them at some industrial area. Mohammad Sadiq Dar further disclosed that after dropping them at Amritsar, he returned to Gurdaspur and thereafter he and co-accused Karandeep Singh went to Delhi in the same Swift car. After reaching Delhi, they parked the aforesaid Swift car in parking of a mosque at Nizamudin and then he returned to his home at Srinagar. He also claimed that he did not know about the planning of co-accused Karandeep Singh, and he was used by him in the entire incident. He disclosed that Karandeep Singh had got murdered the deceased to break the engagement of Mehak by hatching a conspiracy with other co-accused Manjinder Singh, Shelly Kumar, Gurmit Singh @ Mita, Gurpreet Singh @ Mani, Happy and the unknown driver of I20 car. On the basis of the aforesaid disclosure statement of Mohammad Saqib Dar, the aforesaid Gurpreet Singh @ Mani, Happy R/o Batala, Manjinder Singh, Gurpreet Singh @ Mani and the unknown car driver were also nominated as co-accused in this case vide GDR No. 25, dated 10/03/2022.



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12. During the course of investigation of the present case, on the basis of the evidence on record, the offence under Section 108 IPC was added vide GDR No. 12, dated 12.01.2022 and offence under Section 111, 112 IPC was added and offence under Section 108 IPC was deleted vide GDR No. 25, dated 23.03.2022.

13. The final investigation report (challan) under Section 173 Cr.P.C. qua Karandeep Singh was presented on 25/03/2022 and a supplementary final investigation report (supplementary challan) under Section 173 (8) Cr.P.C. qua Mohammad Saqib Dar was presented on 24/05/2022 before the Court.

14. During investigation, the co-accused Gurmeet Singh was brought on production warrant on 10.01.2023 and he was arrested in this case. During custodial interrogation, he suffered a disclosure statement. The name of the co-accused Happy Batala was identified as Sandeep Singh @ Sandeep Happy S/o Lakhbir Singh R/o Village Dheer, PS Sadar Batala. At the time of the commission of the offence, Sandeep Singh @ Sandeep Happy was driving the motorcycle and the accused Gurmeet Singh @ Meeta and Shelly Kumar had fired gunshots at the deceased Vishav Gupta. Thereafter, they had fled away from the spot on the motorcycle of Sandeep Singh @ Sandeep Happy. It was also disclosed that the co-accused Mohammad Saqib Dar had dropped Gurmeet Singh @ Meeta and Sandeep Singh @ Sandeep Happy Batala at the place of occurrence on his car Swift.



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The supplementary challan under Section 173 (8) Cr.P.C. qua co-accused Gurmeet Singh @ Meeta was presented on 07.04.2023.

15. During the course of investigation, the ownership of the car Swift No. JK01-AP-9800 used in commission of the crime was verified from the office of RTA Srinagar and was found to be in the name of Jahoor Ahmad Gajuri R/o Srinagar who had sold this car to Mohammad Saqib Dar on 22.06.2021 through his friend Imtiaz Ali Bhat R/o Srinagar vide written agreement, but he had not got transferred this car in his name.

16. During the course of investigation Gurpreet Singh @ Mani and Shelly Kumar were declared POs on 01.08.2023 by the Court of the JMIC, Amritsar. Thereafter, PO-Gurpreet Singh @ Mani was detained at the Mumbai Airport by the Airport authorities. He was handed over to the local police of Police Station B-Division, Amritsar. Thereupon, Gurpreet Singh @ Mani was arrested on 07.08.2023. During interrogation, he disclosed that at the time of the commission of the crime he was also accompanying the co-accused. Co-accused Shelly, Happy and Meeta had fired gunshots at one boy (deceased) and injured. Thereafter, they had fled away from the spot. Accused Manjinder Singh was found innocent but as mentioned above, has now been summoned under Section 319 Cr.P.C.

17. Sandeep Singh @ Sandeep @ Happy Batala was arrested on 12.05.2024. He was produced before the jurisdictional Court and sent to judicial custody.



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18. As per investigation, the deceased Vishesh @ Vishu got murdered due to mistaken identity and in fact, the co-accused Karandeep Singh and his accomplices had conspired to commit the murder of Shivam, with whom engagement of Mehak was performed. The deceased Vishesh @Vishu was a cousin of Shivam, the actual target.

19. The learned counsel for the petitioner-Gurpreet Singh @ Mani contends that there is no evidence against the petitioner except the disclosure statements of the arrested accused. It was wrong to suggest that he was fleeing abroad. In fact, he was going to Dubai on a valid Visa with a return ticket. She further contends that a co-accused/Mohammad Saqib Dar has been granted the concession of bail by the Hon'ble Supreme Court vide order dated 15.04.2025 (Annexure P-8). The case of the petitioner is on a similar footing with that of co-accused/Mohammad Saqib Dar. As the petitioner is in custody since 07.08.2023 but none of the 62 prosecution witnesses has been examined so far, the Trial of the present case is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail.

20. The learned counsel for the petitioner-Sandeep Singh (CRM-M-17479-2025) contends that the petitioner has also been named in the disclosure statement of his co-accused. There is no other incriminating circumstance against the petitioner. It was a travel agent who had got the petitioner implicated in the instant case. As the petitioner is in custody since 12.05.2024, he too is entitled to the concession of bail.



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21. The learned counsel for the State, on the other hand, while referring to the case of Gurpreet Singh @ Mani contends that he is not only a conspirator but was accompanying the other accused at the time of occurrence and facilitated the commission of the offence in question. Not only were the allegations levelled against the petitioner grave, he was apprehended at the Mumbai Airport while attempting to flee abroad (Dubai). The nature of the allegations and the conduct of the accused do not entitle him to the concession of bail. As regards the grant of bail to co-accused/Mohammad Saqib Dar, he contends that as per the investigation, he had a comparatively limited role to play inasmuch as he had picked up the co-accused and had dropped them to different places. Later, he accompanied Karandeep to Delhi and then went back to Srinagar. He had claimed that he was not aware of the planning of the accused Karandeep. Further, he had been in custody for 03 years when he was granted bail.

As regards Sandeep Singh @ Happy, he contends that as per the prosecution case, Sandeep Singh @ Happy was driving the motorcycle when co-accused/Shelly Kumar and Gurmit Singh @ Mita fired at the deceased. He had been deported from Oman. Shelly Kumar is a proclaimed offender and is yet to be arrest.

22. I have heard the learned counsel for the parties.

23. A perusal of the material on record would reveal that Karandeep Singh wanted to marry his school-mate/Mehak who had got engaged to one



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Shivam. However, by mistake, the cousin of Shivam, namely, Vishesh @ Vishu was murdered. As per the prosecution case, Gurmit Singh @ Mita and Shelly Kumar were traveling on a motorcycle driven by Sandeep Singh @ Happy. Gurmit Singh @ Mita and Shelly Kumar fired at the deceased. Gurpreet Singh @ Mani is a conspirator alongwith the other co-accused and facilitated the commission of the offence in question. The case of Mohammad Saqib Dar is on a different footing inasmuch as he is stated to be unaware of the larger conspiracy and claims to have been used by his friend Karandeep Singh. He had also been in custody for 03 years before he was granted bail. Further, Gurpreet Singh @ Mani was declared a proclaimed offender and was arrested at the Mumbai Airport while attempting to flee abroad. The argument of his counsel to the effect that he was to come back as was evident from the return ticket cannot be accepted. Apparently, he is a resident of Village Sahowal, Tehsil Dinanagar, PS Dinanagar, District Gurdaspur. It is highly unlikely that he would have wanted to travel to Dubai from Mumbai and there is every likelihood that he was attempting to flee abroad. Sandeep Singh @ Happy was deported from Oman. If either of these petitioners are granted the concession of bail, they are likely to abscond from justice, tamper with the evidence or influence witnesses.

24. In view of the aforementioned discussion, I find no merit in the present petitions. Therefore, the same are dismissed.

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- 25. Pending application(s), if any, shall stand disposed of accordingly.
- 26. A photocopy of this order be placed on the file of the connected case bearing NO.CRM-M-17479-2025 titled as ‘Sandeep Singh versus State of Punjab’.

August 13, 2025
sukhpreet

(JASJIT SINGH BEDI)
JUDGE

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