



CRM-M-57889-2025 (O&M) -1-

**(224) IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-M-57889-2025 (O&M)
Date of decision : 24.12.2025**

DALBIR SINGH @ DALLI

... Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA (ORAL)

Present: Mr. Sarabjeet Singh Chahal, Advocate
Mr. Prabhpreet Singh, Advocate for the petitioner

Mr. Neeraj Poswal, AAG, Haryana

Mr. Rahul Deswal, Advocate for the victim

MANISHA BATRA, J. (ORAL)

1. The instant one is the second petition filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking grant of regular bail in case arising out of FIR No.0174 dated 20.10.2024 registered under Sections 103(1), 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 25 of Arms Act, 1959 (charges framed under Section 103(1), 238(a), 3(5), 49, 61(2), 317(2) of BNS and Section 25 and 29 of Arms Act) at Police Station Ismailabad, District Kurukshetra. His previous petition bearing CRM-M-14903-2025, was dismissed by this Court on 29.05.2025.

**CRM-M-57889-2025 (O&M) -2-**

2. The adumbrated facts as emanating from the record are that on 19.10.2024, Harbilas Singh who was running a shop at Anaz Mandi, Ismailabad was shot by two youths, who came on a bullet motorcycle. Harbilas Singh had been rushed to the hospital but succumbed to the injuries. FIR was registered on the basis of statement recorded by complainant-Gulsher, who was an Accountant of the victim and was present in the shop at the time of occurrence. He raised suspicion that Chetan alias Pammi might have hand in the murder of the victim. The said Chetan alias Pammi was arrested and was interrogated but was found to be innocent.

3. On 22.10.2024, supplementary statement was recorded by the complainant and son of the deceased also recorded statement raising suspicion that the family members of Harbans Singh including his son Dalbir Singh i.e. the petitioner, who had grudges against the victim, might have hand in the murder of the victim. On the basis of a secret information, the accused Gurnam Singh and Parveer were arrested. They were interrogated and suffered disclosure statement to the effect that they had committed the murder of the victim. In the disclosure statement of accused Gurnam Singh, he further disclosed that he had done so on instigation of the present petitioner, who was his relative. The petitioner was arrested on 28.10.2024. He too suffered disclosure statement admitting his involvement in the crime.

4. It is argued by learned counsel for the petitioner that ever since the date of dismissal of his previous petition, as filed by the petitioner, there is substantive change in the circumstances as the

**CRM-M-57889-2025 (O&M) -3-**

complainant who was the star witness of the case has not implicated the petitioner or even the co-accused in commission of aforementioned offences. He has turned hostile while recording his sworn testimony before the learned trial Court. It is submitted that due to the fact that no incriminating material has come on record against the petitioner, he has become entitled to be released on bail. It is, thus, argued that the petition deserves to be allowed.

5. Per contra, learned State counsel assisted by learned counsel for the victim has argued that the son of the victim had taken the name of the petitioner. The co-accused as well as himself have suffered disclosure statements admitting their involvement in the crime. The son of the victim is yet to be examined. There is no material or substantive change in the circumstances entitling the petitioner to seek concession of bail by filing the second petition which is a successive one. It is, therefore, stressed that the petition does not deserve to be allowed.

6. This Court has heard the rival submissions made by the learned counsel for the parties at considerable length.

7. The petitioner is alleged to have hatched a conspiracy with the co-accused Gurnam Singh and Parveer Singh to commit murder of the victim and in pursuance thereof, the above-named co-accused had shot at the victim, thereby causing his homicidal death. The complainant who has turned hostile, had taken the name of the petitioner on suspicion. However, the son of the complainant had also named the petitioner. He is yet to be examined. In the considered opinion of this Court, simply because the complainant has resiled from his statement



CRM-M-57889-2025 (O&M) -4-

recorded before the Investigating Agency, it cannot be assumed that the petitioner was not involved in the occurrence. Allegations against him are serious in nature. There does not appear to be any drastic or specious change in the circumstances. As such, this Court finds no reason to allow the petition. Accordingly, the petition is dismissed.

8. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

9. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

**(MANISHA BATRA)
JUDGE**

**24.12.2025
Amit Sharma**

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