

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

104+206

2025:PHHC:174265



CRM-M-59516-2025 (O&M)
Date of decision: 12.12.2025.

GURJIWAN SINGH

...Petitioner(s)

VERSUS

STATE OF PUNJAB

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Bhavesh Ola, Advocate,
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

CRM-49851-2025

Application is allowed as prayed for subject to all just exceptions.

Sections as prayed for in the application are ordered to be read
in the head note as well as in the prayer clause of the main petition.

Main case

The present petition has been filed under Section 483 of the
Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the
petitioner in case bearing FIR No.0167 dated 04.11.2024, under Section(s)
103 and 3 (5) of the Bharatiya Nyaya Sanhita, 2023 (Section 238 of the BNS,

2023 and Sections 27, 29, 61 and 85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 added later on), registered at Police Station Jhunir, District Mansa.

2 Briefly summarized, the aforesaid FIR was registered on the statement of Jagtar Singh son of Kaka Singh son of Veer Singh, resident of Sahnewali, which reads as under: -

“Stated that he is resident of above stated address and an agriculturist by profession. He is having one daughter Manpreet Kaur aged about 26 years who is married with Gurdeep Singh R/o Khiali Chehalanwali for the last 7 years and younger to her is his son namely Harpreet Singh aged about 25 years who is a bachelor. On 02.11.2024 at about 07.15 pm Kuldeep Singh S/o Gurmel Singh R/o Sahnewali took his son Harpreet Singh on his motorcycle Platina bearing no. PB31K6572 in the presence of Bohar Singh S/o Jarnail Singh and Labha S/o Tek Singh R/o Sahnewali. Since then his son Harpreet Singh had not returned back. Due to not returning of his son they asked the family members of Kuldeep Singh but even they could not give any reply and stated that they do not know anything about them. They were looking after son at their own since then. Today in the morning at about 10 am, they came to know that the dead body of his son Harpreet Singh is lying in one room out of the rooms constructed in the parks near their village. Then they reached there and found that the dead body of Harpreet Singh was lying near the wall in the room and it was covered with a blanket. Sandeep Singh @ Kalu S/o Gurmel Singh R/o Sahnewali was having a grudge regarding previous dispute with his son. Due to this grudge, Kuldeep Singh on any pretext took his son with him and in connivance with his brother, both the brothers had given him some intoxicating substance or injected some intoxicating substance and committed his murder and kept the body concealed

in the rooms. Some other person might be involved in it. Motive for the occurrence is that his son Harpreet Singh was having previous dispute with Sandeep Singh @ Kalu and due to this grudge both his brothers committed murder of his son Harpreet Singh and action be taken against them. Statement is read over and explained to him which is right and correct.”

3 Learned counsel appearing on behalf of the petitioner contends that the co-accused of the petitioner namely Chamkaur Singh alias Channa has been granted the concession of regular bail vide order dated 23.09.2025 passed by this Court in CRM-M-36218-2025. He contends that out of 29 witnesses cited by the prosecution only six witnesses have been examined so far. He further contends that since the case of the petitioner is at par with his co-accused Chamkaur Singh, hence, the petitioner who is in custody since 29.01.2025 as per the custody certificate dated 11.12.2025 placed on record, also deserves to be released on bail.

4 State counsel does not dispute the facts noticed above. He contends that the petitioner is also involved in other cases, however, he does not dispute the that the petitioner is not required in any other case under the , NDPS Act.

5 Having heard the learned counsel for the parties and taking into consideration the period of actual custody undergone by the petitioner, the stage of the trial, the non-involvement of the petitioner in any other criminal case under the NDPS Act and also that the co-accused of the petitioner namely Chamkaur Singh alias Channa has been granted the concession of regular bail vide order dated 23.09.2025 passed by this Court in CRM-M-36218-2025, I deem it appropriate to allow the present petition. Accordingly, the present petition is allowed. The petitioner is ordered to be released on bail on his

furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

6 It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

7 The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

December 12, 2025.
raj arora

Whether speaking/reasoned

Whether reportable

: Yes/No

: Yes/No

(VINOD S. BHARDWAJ)
JUDGE