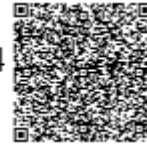


IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:158314



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CRM-M-60575-2025 (O&M)

Date of decision:14.11.2025

Gurdit Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. SPS Sidhu, Sr. Advocate with
Mr. Udayveer Singh, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

...

Manisha Batra, J. (Oral).

1. The instant petition has been filed under Section 482 of the BNSS seeking grant of anticipatory bail to the petitioner in case arising out of FIR No.191, dated 05.06.2025, under Sections 103, 191(3), 190, 61(2) of the BNS and Sections 25, 27 of the Arms Act (offence under Section 21 of the NDPS Act was enhanced during investigation), registered at Police Station City Ferozepur, District Ferozepur.

2. The aforementioned FIR was registered on the basis of the statement recorded by the complainant – Pawandeep Kaur, alleging therein that accused Amrik Singh @ Amrika by hatching a conspiracy with his father Joginder Singh @ Lallu, brother Gurdit Singh i.e. the present petitioner, Angrej Singh and Ashish Chopra had got her husband murdered

through accused Shivam Sehgal @ Shanga and Yuvraj Singh @ Yuvi.

3. After registration of the FIR, investigation proceedings were initiated. Post mortem examination was conducted. Accused Shivam @ Shanga and Simranpreet Singh were arrested on 16.06.2025 and recovery of firearms and six live cartridges was effected from them. Heroin weighing 105.78 grams was also recovered from the conscious possession of accused Shivam Sehgal @ Shanga. Offence under Section 21 of the NDPS Act was added. The present petitioner along with co-accused Ashish chopra and Yuvraj @ Yuvi could not be arrested. Challan was presented against the remaining accused and they are facing trial.

4. As per the further allegations, on 06.06.2025, a rapat No.4 was registered on the statement of Arshdeep Singh, owner of the tattoo shop, who recorded his statement to the effect that the victim Ashu Monga along with Amarjit Singh had come to his shop on the fateful day, when three persons including accused Yuvraj @ Yuvi were sitting in the same. An altercation had taken place between them and the victim as well as Amarjit Singh had taken out pistols. He had rushed outside the shop and had heard noises of fire shots. On entering again, he found the victim lying with firearm injury and had come to know that fire shots were exchanged amongst Gurjinder Singh, Noda @ Sahba @ Sarabjit, Lakha, Amarjit Singh and Dev Sharma and there was a gang war between the parties. The DDR was treated as a cross case. Accused Gurjinder Singh @ Guri and Amarjit Singh were arrested in the cross case. Accused Amarjit Singh suffered a disclosure statement to the effect that on asking of victim Ashu Monga, he had gone to tattoo shop along with him to take revenge from

Shivam Sehgal @ Shanga and Yuvraj @ Yuvi as both of them had used abusive language against wife of the victim Ashu Monga, with the plan that Ashu and himself will shoot Shivam Sehgal @ Shanga and Yuvraj @ Yuvi. He further disclosed about reaching at the tattoo shop. He disclosed that accused Gurjinder Singh @ Guri, Amarjit Singh and Sonu had fired shots upon the victim. After completion of investigation, challan report in the cross case has also been submitted. The petitioner was nominated as accused in the cross version on the allegations that he had hatched a conspiracy with the co-accused Joginder Singh, Amrik Singh and Angrej Singh in committing murder of the victim.

5. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was neither present at the spot nor any specific overt act or injury has been attributed to him. His implication is only because of his being brother of co-accused Amrik Singh. No evidence of conspiracy between him and the co-accused has come on record. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. It is, therefore, urged that the petition deserves to be allowed.

6. Per contra, learned State counsel has argued that there are serious allegations against the petitioner as he has hatched a conspiracy with his brother Amrik Singh and father Joginder Singh, in pursuance of which murder of the victim had been committed. For conducting proper and thorough investigation in the matter and to ascertain the exact role played by him, his custodial interrogation is must. It is, therefore, argued that the petition deserves to be dismissed.

7. This Court has heard rival submissions made by learned counsel for the parties and have gone through the record.

8. The petitioner is alleged to have hatched a conspiracy with the co-accused to eliminate the victim Ashu Monga and it was in pursuance of that criminal conspiracy that the co-accused had killed the victim by firing shots with the pistols upon him. He was named in the FIR. His presence at the spot might not have been alleged, however, for the purpose of conducting thorough and deeper probe in the matter and eliciting information as to the part exactly played by the petitioner, his custodial interrogation is must. Even otherwise, the petitioner has failed to make out any case for showing that there is any exceptional or extraordinary circumstance making out a case for grant of pre-arrest bail in his favour. It is well settled that anticipatory bail to an accused can be granted in exceptional circumstances only as a person couched in comparative safety of pre-arrest bail would certainly not disclose all the facts within his knowledge. In case custodial interrogation of the petitioner is denied to the Investigating Agency, that shall leave many glaring loopholes and gaps, thereby adversely affecting the investigation.

9. In view of the above discussed facts and circumstances, this Court is not inclined to grant concession of pre-arrest bail to the petitioner.

10. Accordingly, the petition is dismissed.

11. It is, however, clarified that nothing stated above shall have any bearing on merits of the case.

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

14.11.2025

harjeet

(MANISHA BATRA)
JUDGE

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