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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M No.62701 of 2024
Date of decision : 29.07.2025**

Gurchet Singh**.....Petitioner**

versus

State of Punjab**..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. P. S. Sekhon, Advocate and
Ms. Nidhi, Advocate
for the petitioner.

Ms. Simran Gorla, Asstt. A.G., Punjab.

Mr. Pankaj Garg, Advocate
for the complainant.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.11, dated 05.02.2023, under Sections 302, 307, 324, 326, 34 of IPC, registered at Police Station Mehal Kalan, District Barnala.

2. Succinctly the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Naginder Kaur. It was alleged that her son, namely, Jagdeep Singh @ Deepa, was of the age of about 19 years, used to do agricultural work. On 04.02.2023, in the night, her son Jagdeep Singh and one of their relatives, namely, Ramandeep Singh went to find his uncle, Balvir Singh. At about



9:00 P.M. when her son Jagdeep Singh and Ramandeep Singh came from the crossed roads, then Jagsir Singh @ Sira was standing there. The dispute took place between them. Then father of Jagsir Singh @ Sira, namely, Gurchet Singh (petitioner) exhorted Jagsir Singh not to spare Jagdeep Singh @ Deepa. Gurchet Singh then caught hold of Jagdeep Singh whereas his son Jagsir Singh @ Sira stabbed him on the left side of the stomach with knife. He was inflicted another blow by Jagsir Singh @ Sira on left side of thigh, due to which he fell down. When the complainant tried to hold Gurchet Singh, he pushed her and then, Gurchet Singh also attacked on the right arm of Ramandeep Singh. When she shouted for help, the assailants escaped from there. She shifted her son, namely, Jagdeep Singh @ Deepa to the Hospital, however he was declared dead. The request was made to take legal action against the culprits. On registration of the FIR, the investigation commenced. The petitioner was arrested on 06.02.2023. On completion of the investigation, the challan was presented and on framing of the charges, the trial Court commenced the trial. The petitioner approached the Court of learned Additional Sessions Judge, Barnala praying for the grant of bail. However, after hearing both the sides finding no merit in the same, the learned Additional Sessions Judge, Barnala declined the petition filed by the petitioner vide order dated 04.11.2024. Hence being aggrieved, the petitioner is before this Court by way of filing the present petition praying for the grant of regular bail.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely and frivolously implicated in the



present case on the basis of exaggerated allegations as the son of petitioner, namely, Jagsir Singh @ Sira was alleged to have inflicted a knife blows to the deceased. He has submitted that the petitioner had no complicity in the alleged occurrence and even otherwise, he was alleged to have caught hold of the deceased. He has submitted that there are allegations of inflicting the knife blows on the leg of deceased by the complainant, which is not even the cause of death of the deceased. He has submitted that there are 02 injured witnesses, namely, Karamjit Kaur and Ramandeep Singh, who have been examined by the learned trial Court but they have not supported the case of prosecution and thus turned hostile. He has submitted that the ocular version is not medically corroborated and the petitioner having no criminal antecedents, deserves to be granted bail.

4. Learned counsel for the complainant however has opposed the submissions made by learned counsel for the petitioner. He has submitted that the petitioner along with his son attacked the deceased in a per-mediated manner and both had played an active role in the murder of son of the complainant. He has submitted that the injured witnesses have not supported the case of prosecution as they were under threat. He has further submitted that the complainant is yet to be examined as she is abroad.

5. *Per contra*, learned counsel for the State however has opposed the submissions made by counsel for the petitioner. She, on instructions, has submitted that case of the prosecution is based on the eye-witness account. She has submitted that the petitioner had played an active role in catching hold of the deceased and causing him injuries. She



has drawn the attention of this Court to the status report filed dated 13.03.2025. She, on instructions, has submitted that out of 28 prosecution witnesses, only 04 have been examined till date and 05 have given up. She has produced custody certificate of the petitioner dated 28.07.2025 today in the Court and the same is taken on record.

6. Heard.

7. After hearing learned counsel for the parties and perusing the record, it is deciphered from the arguments advanced that the petitioner is the father of co-accused, Jagsir Singh @ Sira, who was alleged to have inflicted the fatal knife blows to the deceased. The petitioner was alleged to have caught hold of the son of complainant. The postmortem produced would show that there were 04 injuries to the deceased. However the cause of death has been opined to be hemorrhagic shock due to internal organ injuries. Custody certificate produced would show that the petitioner has completed incarceration of 02 years, 05 months and 20 days as on 28.07.2025. Custody certificate further reflects that the petitioner is not involved in any other case. Two injured witnesses have not supported the case of prosecution and thus turned hostile.

8. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

9. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides and perusing the record, the Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for the grant of



bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

29.07.2025		(RAJESH BHARDWAJ)
<i>rittu</i>		JUDGE
	Whether speaking/reasoned	: Yes/No
	Whether reportable	: Yes/No