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

**CRM-M No.67196 of 2025
Date of decision: 05.12.2025**

Gurpreet Singh @ Jaggi**....Petitioner****versus****State of Punjab****..... Respondent****CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present:- Mr. Kanwaljeet Singh Brar, Advocate
for the petitioner.

Mr. Amit Kumar Goel, AAG, Punjab.

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.59, dated 16.08.2023, under Sections 302, 323 and 34 of IPC, registered at Police Station Singh Bhagwantpura, District Roopnagar.

2. Succinctly the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Amrik Singh. It was alleged that the complainant and his brother, namely, Dalbara Singh, were unmarried and both were living in ancestral house of his brother, namely, Gurnam Singh. 5 brothers of the complainant were living outside the village. It was alleged that there was a dispute regarding the property in the family with his collateral's. Hence on account of the same, a dispute arose on 15.08.2023 when Sarabjit Kaur tried to include the *warranda* and kitchen in the house and on 16.08.2023, at about 7:45 A.M.. The complainant and his brother, namely, Dalbara Singh (deceased)



asked Sarabjit Kaur not to include their *warranda* and kitchen as the same fell in their share. However, she did accede to the same and hence, Gurpreet Singh @ Jaggi (petitioner), Ranjodh Singh and daughter Lovepreet Kaur opened attack upon them. Gurpreet Singh @ Jaggi (petitioner) was armed with an iron pipe and gave a blow of the same on the legs and arms of Dalbara Singh. Ranjodh Singh also gave a blow of an iron pipe on the legs and arms of Dalbara Singh. Thereafter Gurpreet Singh @ Jaggi (petitioner) gave another blow of iron pipe on the head of Dalbara Singh and thus, Dalbara Singh was seriously injured and he was taken to the hospital, where he succumbed to the injuries. Thus, the request was made to take the legal action against the culprits. On registration of the FIR, the investigation commenced. During the investigation, the petitioner was arrested on 16.08.2023. On completion of investigation, the challan was presented and on framing of charges, the trial commenced. The petitioner approached the Court of learned Sessions Judge, Rupnagar, praying for the grant of regular bail. However, after hearing both the sides and finding no merit in the same, the learned Sessions Judge, Rupnagar, declined the bail application filed by the petitioner vide order dated 22.08.2024. 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 prosecuted in the present case. He has submitted that the deceased, namely, Dalbara Singh is the *Chacha* of the petitioner. He has submitted that the deceased, Dalbara Singh and the complainant, both were unmarried and living in the ancestral house. He

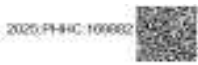


has submitted that it was purely a family dispute and there was nothing premeditated. He has submitted that from the facts of the case, it is apparent that the petitioner was not even armed with any lethal weapon and on the sudden provocation, the incident took place. He has submitted that in the facts and circumstances, the offence under Section 302 IPC is not even made out. He has further submitted that the petitioner has no criminal antecedents as he has never been involved in any other case. He has submitted that the petitioner is behind bars from last more than 02 years and the material witnesses already stand examined and thus, there is no possibility of the petitioner influencing the prosecution witnesses. He has thus submitted that in the facts and circumstances, the petitioner deserves to be granted bail.

4. *Per contra*, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner. He has submitted that the case of the prosecution is based on the eye-witness account and the eye-witnesses have duly supported the case of the prosecution. He submits that it is the petitioner, who had given the fatal blow on the head of the deceased with the iron pipe. He, on instructions, has submitted that out of total 17 prosecution witnesses, only 07 witnesses have been examined. He has submitted that the petitioner is involved in one more case. He has produced custody certificate of the petitioner today in the Court, which is taken on record.

5. Heard.

6. After hearing counsel for the parties and perusing the record, it is deciphered that admittedly the petitioner is the nephew of the deceased. The petitioner is behind bars since the date of his arrest i.e.



16.08.2023. The material witnesses already stands examined. Custody certificate produced would show that the petitioner has suffered incarceration of 02 years, 03 months and 16 days as on 04.12.2025. It further reflects that the petitioner is involved in one more case, however he is on bail in that case. Whether the offence under Section 302 IPC is made out or not would be assessed only on weighing the evidences by the learned trial Court, thus, this Court would refrain itself from commenting anything on the merits of the case.

7. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

8. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his 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.

05.12.2025
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(RAJESH BHARDWAJ)
JUDGE

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