

2025:PHHC:168625



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

227

CRM-M-66715-2025
Date of decision: 03.12.2025

HARMANDEEP SINGH ALIAS HARDEEP SINGH ALIAS
HARMANPREET ALIAS HARMAN

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

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

Present: - Mr. Parampreet Singh Paul, Advocate
for the petitioner.

Mr. Mohit Kapoor, Senior DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

The instant third petition has been filed under Section 483 of The Bharatiya Nagarik Suraksha Sanhita, 2023, for the grant of regular bail in case bearing FIR No. 64 dated 13.03.2021, registered under Section(s) 302, 325, 148 and 149 of the Indian Penal Code, 1860 at Police Station Sadar Kharar, District SAS Nagar, Mohali, Punjab.

2. The instant FIR was registered on the statement of Parminder Singh, son of Rajinder Singh, aged about 30 years, resident of village Fatehgarh Neewa, Police Station Khedi Nodh Singh, District Fatehgarh Sahib

who stated that he is employed at Garg Mill, Amloh Road,

Gobindgarh, and has known Gurinder Singh @ Roda, resident of village Majri, since the year 2015. Gurinder Singh @ Roda, who works as a property dealer, frequently called Parminder Singh to accompany him, and owing to such association, Parminder Singh was familiar with his property dealings. On 11.03.2021, Gurinder Singh @ Roda sent a message to Parminder Singh asking him to visit his residence. On 12.03.2021, Parminder Singh went to Gurinder Singh's house, where Avtar Singh @ Raaji (resident of Lalheri), Simran (resident of Lalton), Salman (resident of Khedi Nodh Singh), and Beant Singh (resident of Udhalpur) were also present. While Parminder Singh was there, Gurinder Singh telephonically contacted Mani, son of Gola, and Gola of Dau Majra, and an altercation ensued between them regarding a money dispute related to property transactions. Following this, Gurinder Singh informed the group that they needed to go to Dau Majra to collect money from Mani and Gola. Thereafter, Parminder Singh, along with Avtar Singh @ Raaji, Simran, Salman, and Beant Singh, accompanied Gurinder Singh @ Roda in his car to Dau Majra. At around 09:30 p.m., while they were proceeding towards the office of Mani and Gola via Animal Mandi, Dau Majra, they noticed cars parked ahead. Gurinder Singh stopped his vehicle, and upon alighting, they were suddenly attacked. It was stated that Mani (son of Gola), Sohna, and Gola of Dau Majra, armed with kirpans, along with Jaspreet Singh @ Jassu and Harmanpreet Singh of Balsarpur (also armed with kirpans), and Sohna (armed with a danda), accompanied by 10–12 other persons carrying dandas, launched an assault on them. Harmanpreet Singh struck Avtar Singh @ Raaji with a kirpan. Avtar Singh raised his left arm to protect himself,

resulting in the blow landing on his wrist. A second kirpan blow struck the left side of his abdomen, causing him to fall to the ground. Mani, armed with a kirpan, struck Gurinder Singh @ Roda on his right arm. Jaspreet Singh @ Jassu attempted another kirpan blow at Gurinder Singh, which did not hit him. Sohna swung his danda at Parminder Singh, who evaded it by running, causing the blow to land on the vehicle, shattering its glass. As Parminder Singh and his companions raised alarm and people from the vicinity began to gather, the assailants fled from the spot along with their weapons and vehicles. Parminder Singh noticed that Avtar Singh @ Raaji was bleeding profusely from his wrist and was struggling to breathe, and that Gurinder Singh @ Roda was also injured. Due to the severe injuries sustained by Avtar Singh @ Raaji, Parminder Singh immediately placed him in a vehicle to take him to Civil Hospital, Kharar. However, Avtar Singh succumbed to his injuries on the way near the hospital. Parminder Singh asserted that the attack was motivated by a monetary dispute relating to property transactions between Gurinder Singh @ Roda and Gola and Mani of Dau Majra. On the basis of these allegations of murderous assault resulting in the death of Avtar Singh @ Raaji and injuries to others, a request for legal action was made, leading to the registration of the present FIR.

3. Learned counsel appearing on behalf of the petitioner contends that the present matter is one of version and cross-version, wherein members of both sides sustained injuries at the hands of each other. It is submitted that while the petitioner stands arrayed as an accused in the FIR in question, a cross DDR No. 35 dated 13.03.2021 was also registered at the instance of the petitioner's side against the complainant party for offences under

Sections 324, 148 and 149 of the Indian Penal Code, 1860 (to which Section 335 IPC was later added). Counsel further submits that the petitioner is attributed only two injuries on the person of the deceased, one on the arm and another on the abdomen and the incident has arisen out of a mutual altercation between the parties. It is further contended that the petitioner has already undergone an actual custody of more than 04 years and 02 months and that only 02 witnesses out of total 22 witnesses have been examined so far. The challan in the present case was filled on 06.11.2021, however, the charge was framed only on 01.05.2024. Counsel further contends that although the earlier bail petition was withdrawn on 22.08.2025, yet despite the lapse of more than three months thereafter, not a single prosecution witness has been examined till date. He further contends that the complainant-eye-witness Parminder Singh has not supported the case of the prosecution and has not identified the petitioner.

4. Learned State Counsel does not dispute the aforesaid facts, however, he contends that the petitioner is the main accused and has caused the fatal injuries on the person of the deceased. He, however, does not dispute that the petitioner has already undergone an actual custody of more than 4 years and 2 months in the present case and that only 02 witnesses out of total of 22 witnesses have been examined so far.

5. I have heard learned counsel appearing on behalf of the respective parties and have gone through the documents appended alongwith the present petition.

6. In view of the facts noticed above and taking into consideration the actual custody of more than 04 years and 02 months undergone by the

petitioner, the fact that the complainant-eye-witness has not supported the case of the prosecution and bearing in mind the stage of the trial wherein only 2 witnesses out of total 22 witnesses have been examined so far and as such the same is likely to take a long time to conclude, I deem it appropriate to enlarge the petitioner on regular bail to the satisfaction of the trial Court.

7. The instant petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.

8. 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.

9. 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 03, 2025

Vishal Sharma

**(VINOD S. BHARDWAJ)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No